

**Item no. 11
12.08.2025
Ct. 02
sayandeep**

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 1646 of 2025

**Bipul Modak
versus
State of West Bengal & Ors.**

**Mr. S. M. Obaidullah
Mr. Roni Chowdhury
Ms. Ankita Dey**

...For the Petitioner.

**Ms. Bedshruti bose
Mr. sourav Sarkar**

...For the State.

1. The present writ petition has been filed, inter alia, complaining inaction on the part of the police authorities. The petitioner would contend that the petitioner is owner in respect of a plot of land measuring 14 satak which the petitioner had purchased from one Suradini Barman and Bablu Barman which is situated at LR No. 233, JL No. 26, Mouja Pakhihaga, RS Dag No. 3249 corresponding to LR No. 3668, Police Station-Dinhata, Coochbehar vide a registered deed dated 26th October, 2016.
2. According to the petitioner, immediately after purchasing the land, the petitioner had been cultivating the land, for the last one year. However, according to the petitioner, Babu Barman has illegally and forcibly entered into the said land and is disturbing the peaceful possession of the petitioner.

3. Despite protest, the said Babu Barman has not vacated the land.
4. Although the service on the private respondent is not complete, however, since Ms. Bose, learned advocate representing the State by placing before this Court a report prepared by the Inspector-in-Charge, Dinhata P.S. dated 11th August, 2025 would submit that on the basis of an enquiry conducted in presence of the local witness both the petitioner as also the private respondents are claiming ownership in respect of the land in question, I am of the view that there is no scope to decide such disputed question of fact in the present petition. The police authorities are however, directed to ensure no breach of peace takes place.
5. Accordingly, the writ petition is disposed of without any order as to costs.
6. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Raja Basu Chowdhruy, J.)