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02.03.2023
d.p.

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

W.P.A. 373 of 2023

**Soma Asur @ Soma Ashur
-versus
The State of West Bengal & Ors.**

**Mr. Arijit Ghosh.
...For the Petitioner.**

**Mr. Hirak Barman,
Ms. Bedashruti Bose.
...For the State.**

Affidavit of service filed in Court today is taken on record.

The petitioner alleges that the tribal land is being transferred illegally without following the provisions of law. The sale deed annexed at page 20 of the writ petition is an absolute illegal document as the person in whose favour the land was recorded expired long back. The said land could not have been sold on the date the deed was registered.

The petitioner alleges that a racket is operating in the area dealing with sale of tribal land in an illegal manner. Even though complaints are lodged before the police, the same are not proceeded with in the right earnest. Representation filed before the authorities seeking proper investigation in the matter are also not responded.

Learned advocate appearing for the State respondents submits, upon instruction that, the issue in question is civil in nature.

The police have already registered a case on receiving a complaint from the petitioner and investigation of the case is in progress.

The report filed by the police mentions that the police is in frequent contact with the complainant and report from various departments are awaiting.

From the submissions made on behalf of the parties and upon perusal of the materials placed before this Court, it appears that the issue relates to transfer of tribal land.

The police has already registered a case against the persons whom the petitioner mentioned in the complaint. The case is, however, to be proceeded properly so that the person(s) involved can be suitably dealt with.

In view of the above, the Superintendent of Police is directed to ensure that the pending cases are handled properly and the investigation continues in the right direction.

The petitioner is directed to render all cooperation in the matter so that the pending cases may reach its logical conclusion at the earliest.

Instruction given by the Inspector-in-Charge, Mathabhanga police station filed in Court today be retained with the record.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)