

ORDER SHEET

(RULE 129 OF THE RECORDS MANUAL 1971)

Order Sheet, dated From

to

in the Court of

District


No.

of 20

Executive Magistrate
2nd Court, Alipore
South 24 Parganas

Nature of the Case

M-4230/24

Serial number and date of Order.	Order and signature of Office	Note of action taken on Order.
<p style="font-size: 1.5em; font-family: cursive;">41124</p>	<p style="font-family: cursive;">Seen The petition w/s 163(2) B.N.S.S. filed by the petitioner. Heard the Ld. Adv. for the F.B. Considered. After perusal of G.R. & Considering the submissions, being satisfied, it is hereby ordered that -</p> <p style="font-size: 1.5em; font-family: cursive;">o/c Garfa P.S to enquire & report by 2/11/25 & to see that no breach of peace takes place at the locality. And also to see that NO illegal encroachment be made by the or in & around the Scheduled property. - to 2/11/25</p> <p style="font-size: 1.2em; font-family: cursive;">Sd/- M.B. Chakraborty Executive Magistrate 2nd Court, Alipore South 24 Parganas</p>	<div style="text-align: center;">  </div>

True Copy

In the Court of
Executive Magistrate
2nd. Class. Alipore
South 24 Parganas

DISTRICT : SOUTH 24 PARGANAS

IN THE COURT OF THE LEARNED 2nd EXECUTIVE MAGISTRATE AT ALIPORE.

Ref : MP 4230 of 2024

In the matter of :

An application under Section 144(2)

Cr.P.C./ under section 163(2) BNSS, 2023.

-A N D-

In the matter of :

Shri Nilanjan Sarkar

Son Of - late Tarun Bikash Sarkar

Of 34/7, South Purbachal Hospital Road, Post
Office - Haltu, Police Station - Garfa, Kolkata -
700078. One of the owner of Shivam Construction.

.....Petitioner.

-VS-

Mr. Pranab Mitra and others

son Of - not known

residing at- 73, purbachal main road, P.S. - Garfa,
p.o. - haltu, Kolkata - 700078.

.....Opposite Party.

The humble petition on behalf of the above Named
Petitioner.



MOST RESPECTFULLY SHEWETH :

1. That your petitioner is peace loving and law abiding citizen of India and has been residing within your Honour's Court jurisdiction.
2. That your petitioner one of the owner of the Shivam Construction have purchased the scheduled land i.e. 31, Purbachal Main Road, Post Office - Haltu, Police Station - Garfa, Kolkata - 700078, in favour of the said company measuring area 6 cottah 7 Chittak 38 sq.ft.from the previous land owner Shri Sukharanjan Majumder by way the deed of Convenience date 10-11-2023, vide registration in Book 1 , Volume No. 1604- 2023, which has been registered in the Office District Sub Register -IV, South 24 Parganas, West Bengal.
3. That Your Petitioner has mutated the name of the said Company in the assessment department I.B copy, B.L.R.O Office recorded as Bastu Land.
4. That the Opposite Party is the owner of the adjacent premises no. 73, purbachal main road, P.S. - Garfa, p.o. - haltu, Kolkata - 700078.
5. That the Opposite Party and his men and agents creating disturbances and annoyance with a bad intention and ulterior motive with the petitioner.
6. That your petitioner has measured physical scheduled land by the help of the surveyor and after the measurement your petitioner land is in accurate.
7. That the opposite party intention to encroach some land of your petitioner forcefully and illegally and for that reason the opposite party and his men and agents are creating all sorts of disturbances and troubles and sometime the opposite party use lang languages and sometimes the opposite party and his men and agents tried to encroch your petitioner scheduled land, but after raising the objection the opposite party did not fulfill his illegal desire.
8. That the Opposite Party is also causing bad rumours against the company of your Petitioner with a bad intention and for defame the name of the aforesaid company
9. That the Opposite Party and his men and agents intention to encroach the land of your Petitioner as well as his intentions to evict your petitioner from his lawful intention too.

10. That your petitioner submitted a written complaint to the Garfa police station against the opposite party and lodge a diary vide G.D.Entry no. 2166 dated 29-11-2024.
11. That the Opposite Party and his men and agents threatened your petitioner at any moment he and his men and agents will encroach the land of your Petitioner with the help of local gundas and at that time if anybody will raised objection at that time he will teach him /her a good lesson..
12. That the situation is very tensed and there is every possibility serious breach of the peace and public tranquility and as such your petitioner prays for an Ex- Partee Order in terms of section 163(2) BNSS and also direct the opposite party and his men and agents not to encroach the scheduled land of your Petitioner as well as direct him not to disturb to your Petitioner in any manner .
13. That the service of the notice upon the opposite party that this juncture is not required. That the application is made bonafide and in the interest of Natural Justice .

In view of the above facts and circumstances, it's therefore prayed that your Honour would graciously be pleased to pass an EX-PARTE ORDER in terms of section 144(2) Cr.P.C./163(2) BNSS against the opposite parties and his men and agents with a direction not to encroach the scheduled land of your Petitioner in any manner and also direct him not to disturb the peace full possession of your Petitioner and also direct the opposite party and his men and agents not to do any illegal and wrongful act in and around scheduled land of your petitioner Petitioner and also direct to officer in charge Garfa police station to see that no breach of peace take place in an around scheduled property in any manner and also to keep closed visit over the situation for the interest of justice.

And for this act of kindness, your petitioner as in duty bound shall ever pray.

SCHEDULE PROPERTY

All that piece and parcel in respect of measuring area 6 cottah 7 Chittak 38 sq.ft being which is lying and situated at the premises no 31, Purbachal Main Road, Post Office - Haltu, Police Station - Garfa, Kolkata - 700078



VERIFICATION

I, above named petitioner, do hereby solemnly affirm and declare that the above statements are true to the best of my knowledge and belief and I sign this verification in this day at Alipore Court compound.

GARFA POLICE STATION

Ref. G. D. E. No. 2166

Date. 29.11.2024

To,

The Officer In Charge

Garfa Police Station,

Kolkata-700078.

Dated : 29.11.2024



Subject: **Complaint against Mr. Pranab Mitra-**

One Of the Owners of Premises No:73 Purbachal Main Road, Kolkata-700078 adjacent to my said land of Premises No:31, Purbachal Main Road, Kolkata-700078.

Sir,

This is to inform you that I **SRI NILANJAN SARKAR**, (PAN-BRQPS4838C & Aadhaar No.4942 3605 0984), son of Late Tarun Bikash Sarkar, by faith-Hindu, Nationality-Indian, by Occupation-Business, residing at 34/N, South Purbachal Hospital Road, P.O. Haltu, P.S. Garfa, Kolkata-700078 one of the Owners of Shivam Construction have purchased a said land of **Premises No: 31, Purbachal Main Road, Kolkata-700078** from the Previous Land Owner Sri Sukharanjan Majumder. The area of my Purchased Land is 6 Cottah 7 Chittak 38 sq.ft. As Supporting documents I have **K.M.C Mutation, Assessment Department-I.B Copy, B.L.R.O Mutation recorded as Bastu, Registered Deed** in favour of our Company on the area 6 Cottah 7 Chittak 38 sq.ft of my Land. I have also measured my said land physically with the help of my Surveyor. But Mr. Pranab Mitra is daily causing nuisance, uttering very bad slang languages whenever we partners are entering into our land. He is also causing Bad rumours against our company in the local area. He is disturbing me on taking peaceful possession on my said land because according to him my land measurement is wrong which is completely baseless and Fake. Kindly help me in settling this matter. This is for your kind information and necessary action.

Thanking You,

Yours faithfully,

Nilanjan Sarkar

Nilanjan Sarkar-Contact No:9433353758

Complaining Against Mr. Pranab Mitra-Contact No:8910652366

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South 24 Parganas

DISTRICT : SOUTH 24 PARGANAS

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An application under Section 144(2)

Cr.P.C./ under section 163(2) BNSS, 2023.

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