

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

0844



1. Dist. SILIGURI PS Bhaktinagar Year 2021 FIR No. 1528/21 Date 02/12/2021

2. (i) Act — Sections — (ii) Act 18C Sections 447/188/471
 (iii) Act — Sections — (iv) Other Acts & Sections 34

3. [a] Occurrence of Offence : Day — Date From — Date To —
 Time Period — Time From 23.11.21 Time To —
 [b] Information received at P.S. Date 02.12.2021 Time 11.05 hr
 [c] General Diary Reference : Entry No. (s) 89 Time 11.05 hr

4. Type of Information : — Written / Oral : —

5. Place of Occurrence : (a) Direction and Distance from P.S. — Beat No. —
 [b] Address Sunaka Road 2nd mile opposite Hotel Continental Park
Mirza Bahadur PS Bhaktinagar Jalpaiguri
 [c] In case outside limit of this Police Station, then the
 Name of the P.S. — District —

6. Complainant / Informant :
 [a] Name Sri Dulat Kumar Shor
 [b] Father's / Husband's Name S/O H. Lalcham Marayan Shor
 [c] Date / Year of Birth — [d] Nationality Indian
 [e] Passport No. — Date of Issue — Place of Issue —
 [f] Occupation —
 [g] Address Palikhola Bazar Rabindra Sarani PO Siliguri Jalpaiguri

7. Details of known / suspected / unknown accused with full particulars
 (Attach separate sheet, if necessary):
(1) Ail Kumar Agarwal (2) Rajendra Kanungo (3) Sita Devi Sharma
(4) Kamal Kumar Bhowmik all of Director of Palikhola Industrial
(New Abut Tea Co Ltd) and Tezu Tea Co Ltd (5) Anun Kumar Thakur

8. Reasons for delay in reporting by the Complainant / Information
—

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary)
—

10. Total value of properties stolen / involved —

11. Inquest Report / U.D. Case No. If any —

12. FIR Contents (Attach separate sheets, if required) The original with complaint which is dated as FIR is enclosed herewith. 23/11/21.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No.2, registered the case and took up the investigation / directed S.I. BHASKAR KAR to take up investigation / refuse investigation / transferred to P.S. — on point of jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

14. Signature / Thumb impression of the Complainant / Informant Noted on original complaint
 Signature of the Officer-in-Charge, Police Station —
 Name DAWA TSUKUMI SHERA
 Rank INSPECTION No. —
23.11.21

Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

To,
The Inspector -in-charge,
Police Station,
Bhaktinagar,
Dist: Jalpaiguri.

November 23, 2021

Sir,

I have lodged complaints to your Police Station against Ajit Kumar Agarwal, Rajendra Kanoria, Sita Ram Sharma, Kamal Kumar Biyani all Directors of Falakata Industries Ltd (Now Abhijit Tea Co. Ltd) and Terai Tea Co. Ltd and their Manager Arun Kumar Tharad consecutively on November 19, 2021 and November 21, 2021. One Officer from Bhaktinagar Police Station visited the spot today on 23.11.2021 at about 11.30 AM and rang me up from his mobile No.9735851517 name appeared on the screen is Sri Bhaskar Kar.

Our landed property is situated at Sevoke Road, 2nd Mile, Opposite Hotel Central Park within Mouza: Dabgram we are fighting legal battle for last 4 decades in respect to the above mentioned land in the Hon^{ble} High Court, Kolkata and in the District Judge Court, Jalpaiguri with the almighty moneyed and muscle man of Siliguri to his credit several Police records are there.

The history and details of pending litigation has been narrated in our above referred to complaints. It is pertinent to submit here that Ms. Soma Kar Ghosh, Learned, Advocate, High Court, Kolkata moved an application for vacating the order of Status Quo on August 02, 2021 being C.A.N.No.4 of 2021 in the matter of an appeal filed by us being No.F.A.T. No.1074 of 2007 in respect to the property mentioned under the Schedule. The photocopy of the said application alongwith the order of status quo passed on 5.10.2007 is also annexed being Annexure-A of the said vacating Application along with the appeal is pending and running in the list of the Hon^{ble} High Court for hearing. Where in the 2nd paragraph of the order sheet it has been specifically been recorded which reads as under:-

"MR. MUKHERJEE, LD SENIOR COUNSEL REPRESENTING THE DECREE-HOLDER RESPONDENT SUBMITS ON BEHALF OF HIS CLIENT THAT SINCE THERE IS EVERY POSSIBILITY FOR TAKING SINCERE ATTEMPTS FOR SORTING OUT THE DISPUTES ARISING OUT OF THE DECREE, HIS CLIENT SEEKS FOUR WEEKS TIME IN THIS REGARD AND IN THE MEANTIME HIS CLIENT UNDERTAKES TO MAINTAIN STATUS QUO OVER THE SUIT PROPERTY IN DISPUTE AND TO KEEP INTACT THE NATURE AND CHARACTER OF THE SAME UNTIL FURTHER ORDER FROM THIS END "

Sir, Your kindness will please appreciate the fact that willfully, desparately and knowingly in violation of their own undertaking the Ajit Kumar Agarwal, Rajendra Kanodia, Sita Ram Sharma, Kamal Kumar Biyani all Directors of Falakata Industries Ltd (now Abhijit Tea Co. Ltd) and Terai Tea Co. Ltd and their Manager Arun Kumar Tharad supervising, instructing and directing the work of demolition of the boundary wall around the said land under dispute and moreover, they cut down standing trees thereon in utter violation of the law of the land and willfully, deliberately and knowingly with muscle and money power entirely changed the nature and character of the suit land despite complaints being repeatedly lodged with your Police Station and you totally remained in inaction still today process of cutting down of trees is in the process and accordingly I have informed the forest officials concerned to take appropriate steps under the forest laws.

Received on 2/11/21 at 14:06 hr vide COE
NO 84 dt 02/11/21 and started BtA PS case NO
1528/21 dt 04/12/21 v/s 447/188/427/34 JPC and
condensed the same to SI Bhaskar Kar for
th. investigation

Dulal Kumar Dhar
23/11/2021

Inspector -in-charge
Bhaktinagar Police Station
Siliguri Metropolitan Police

In view of the facts and circumstances as stated herein above as well as in the complaints submitted to your Police Station please to hold an on the spot enquiry into the matter in light of the order of Status quo passed by the Hon'ble High Court ,Kolkata in order to record the willful and deliberate breach of undertaking given by above named directors and managers of the respondent Company to the Hon'ble High Court in a manner by supervising, instructing and directing to demolish the boundary wall and cutting and uprooting of standing tree illegally and wrongfully from there and thus they are on the process of amalgamation of our plot of land with other many plots of land is under way so that we get lost.

SCHEDULE OF THE LAND

All that piece and parcel of land measuring 0.79 acres recorded in R.S. Khatian No.569/01 Comprised in Plot No.237,238 and 238/832 of Mouza: Dabgram, under PS: Bhaktinagar, 2nd Mile, Sevoke Road, Dist: Jalpaiguri.

I, Therefore, request your honour pleased to take urgent steps and appropriate action as per law of the land in order to safe guard our property from the above named land grabbers moneyed and muscle men and kindly record the fact, once again, that they knowingly, willfully, deliberately illegally and desparately breached the express undertaking given by them as recorded by the Hon'ble High Court in the order sheet as aforesaid for the ends of justice.

For this act of your kindness we shall ever pray.

Thanking you

Yours faithfully

Dulal Kumar Dhar
23/11/2021

(Dulal Kumar Dhar)
S/O/ Late Lakshmi Narayan Dhar
Rathkhola Bazar, Rabindra Sarani,
PO: Siliguri-734006
(Mob: No.9832467013)

- Encl: 1. The Letter of Ms. Soma Kar Ghosh, Advocate dated 27.07.21 along with C.A.N. No.04.of 2021 along with Annexure-A for your perusal please
2. Some photographs showing the construction work being carried out and tree is being cut .

Complaint of
S. K. Ghosh
02
used at item N
KAR to tak
on poin
recorded and

Inspector-
Charge Police

A TSHERIN
LICE
PS/SPC