

FIRST INFORMATION REPORT
(Under Section 154 Cr. P.C.)

2518



S.P.C

P.S. Bhaktinagar Year 2021 FIR No. 1552/21 Date 08/12/2021
i) Act _____ Sections _____ ii) Act IPC Sections 447/185/506/Sy
iii) Act _____ Sections _____ (iv) Others Acts & Sections _____

3 (a) Occurrence of Offence : Day _____ Date From 07/12/2021 Date To _____
Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date: 08/12/2021 Time 12.35 hr

(c) General Diary Reference : Entry No(s) 426 Time 12.35 hr

4. Type of Information _____ Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. _____ Beat No. _____

(b) Address Khahan No 59 and 60 Under Bhaktinagar PS
Dist. Jalpaiguri

(c) In case outside limit of this Police Station, then the

Name of the P.S. _____ District _____

6. Complainant / Informant :

(a) Name Sri Pradip Kumar Mitra

(b) Father's / Husband's Name S/O Lt. Aleshay Kumar Mitra

(c) Date / Year of Birth _____ (d) Nationality Indian

(e) Passport No. _____ Date of Issue _____ Place of Issue _____

(f) Occupation _____

(g) Address Raja Tea Estate, PO. Mat, Dist. Jalpaiguri

7. Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary) :

Dulal Kumar Dhar and others -

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 written complaint which is treated as FIR is enclosed herewith / reproduced over leaf. 08/12/21

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 SI D. N. BAKSHI to take up investigation / refused 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.

Noted in original complaint.

14. Signature / Thumb impression _____
of the Complainant / Informant

Inspector-In-Charge
Bhaktinagar, Silliguri Metropolitan Police Station
Signature of the Officer-in-Charge

Name DAWA TSHERING SHERPA

Rank : No. SI OF POLICE
BK N / PS / SPC

15. Date & Time of despatch to the court :

ABHIJIT TEA CO.PRIVATE LIMITED

Garden Address:

Raja Tea Estate

P.O.:Mal

Dist.:Jaipalguri

Tel.No.Mal-255007,255023

CIN: U01132WB1978PTC031590



Corporate Office:

"Agarwala House", Sevoke Road

2nd Mile,Siliguri-734001,INDIA

Tel:2543857,Fax:0353-2542656

Email:teraitea@gmail.com

7th December 2021

To
The Inspector In Charge
Bnaktinagar Police Station
District - Jaipalguri

Sub: Our submissions Re FIR No. 1528/21 dated 02.12.2021.

Sir,

A copy of the aforesaid FIR has been down loaded from the Official Web Site along with the copy of the complaint dated November 23, 2021 filed by one Dulal Kumar Dhar.

In respect of the aforesaid we state as follows:-

1. In the said complaint Schedule of land has been shown as 0.79 acres where as the litigation as stated in the said complaint is only in respect of 0.35 acres. Even considering the other pending litigation which is in respect of 0.31 acres the total land could only be 0.66 acres and not 0.79 acres as mentioned in the complaint. This itself proves beyond doubt that the complaint is false, fabricated, filed with ulterior motives only to harass us and on this ground itself the complaint needs to be ignored and no cognizance taken in respect of the same.
2. Further wrong information is given in the complaint that CAN No. 4 of 2021 was moved for vacating the order of status quo passed on 05.10.2007, whereas the order of status quo was passed on 18.07.2007. After the said order dated 18.07.2007, was passed the decree was stayed vide order dated 05.10.2007 and whereby the order dated 18.07.2007 lost all its force. In any case the order of status quo as quoted by the complainant in his complaint was only for a period of four weeks i.e. 4 weeks from 18.07.2007 which has expired 14 years back.
3. The CAN No. 4 of 2021 was moved for praying (a) for changing the name of the respondent from Falakata Industries Ltd. to Abhijit Tea Co. Pvt. Ltd. and (b) for vacating the interim order dated 05.10.2007 i.e. the order for stay of the decree regarding specific performance of contract. No application was moved for vacating the order of status quo. It is intentionally wrongly stated in the complaint that the order of status quo was passed on 05.10.2007 as the order dated 05.10.2007 was in respect of the decree

Regd. Office: 10, Govt. Place (east), 1st Floor, Kolkata-700 069, INDIA
Tel:(033)4601 3789,Fax:91 33 22489182. Email:teraitea@gmail.com

A TERAI GROUP ENTERPRISE

15.12.2021

Raja Tea Estate
Garden Address:
Corporate Office:
"Agarwala House", Sevoke Road
2nd Mile, Siliguri-734001, INDIA
Corporate Office:
"Agarwala House", Sevoke Road
2nd Mile, Siliguri-734001, INDIA
Tel: 2543857, Fax: 0353-2542656
Email: terateat@gmail.com

ABHIJIT TEA CO. PRIVATE LIMITED

Garden Address:

Raja Tea Estate

P.O.: Mal

Dist.: Jalpaiguri

Tel. No./Fax: 255007, 255023

CIN: U01132WB1978PTC031590



Corporate Office:

"Agarwala House", Sevoke Road

2nd Mile, Siliguri-734001, INDIA

Tel: 2543857, Fax: 0353-2542656

Email: terateat@gmail.com

being stayed till the disposal of the appeal I.e. FAT 1074 of 2007. Needless to mention here that the above appeal filed by the members' of the Dhar family was never pursued by them since October 2007 for reasons known to them.

4. It may be noted that the members of the Dhar family have till date not taken any steps in their appeal in respect of 0.31 acres of land and which decree has reached its finality in view thereof. As informed earlier to you, pursuant to the two decrees Khatian No. 59 and 60 have been issued in favour of Ajit Kumar Agarwala and Abhijit Tea Co. Pvt. Ltd.

5. The complainant is fully aware of the pendency of the litigation which have been filed by them and that the same are of civil nature only. The complainant is trying to make a criminal case out of a civil case which is against the law of the land. The complainant states in his complaint that there is violation of an undertaking before the Hon'ble High Court at Calcutta and even if it is so then also they should instead of approaching the police authorities ought to move the Hon'ble High Court at Calcutta and the District Judge Court at Jalpaiguri where their civil appeals are pending since last 14 years without pursuing the same. Initiating any police case and/or criminal proceedings in a civil matter by the complainant is nothing but perjury of the court.

6. There is no change in the nature and character of the suit land. Even assuming without admitting that there is a violation, the courts where their civil appeals are pending need to be moved. The statement that standing trees have been cut down and there is demolition of boundary wall, without any specific details, is made only to mislead the police authorities.

7. Today at about 3.25 pm the said Dulal Kumar Dhar again tried to trespass in the land and on resistance by the guards, he started using filthy language and threatened all present. Earlier also he has done the same and till date he has not been controlled from carrying out his criminal activities.

Regd. Office: 10, Govt. Place (east), 1st Floor, Kolkata-700 069, INDIA
Tel: (033) 4601 3789, Fax: 91 33 22489182, Email: terateat@gmail.com

A TERAI GROUP ENTERPRISE

15. Date & Time of despatch to the court:-

Rank - No

SI OF POLICE

which is
received
11/11/11
case and too
to take
on police
Complainant
Police St
LING SH
ICE
S/SPC

Corporate Office:
'Agarwala House', Sevoke Road
2nd Mile, Siliguri-734001, INDIA
Tel: 2542857, Fax: 0353-2542656



Garden Address:
Raja Tea Estate
P.O. Mail
Dist.: Jalpaiguri

ABHIJIT TEA CO. PRIVATE LIMITED

Garden Address:
Raja Tea Estate
P.O.: Mail
Dist.: Jalpaiguri
Tel. No. Mail-255007, 255023
CIN: U01132WB1978PTC031590



Corporate Office:
'Agarwala House', Sevoke Road
2nd Mile, Siliguri-734001, INDIA
Tel: 2542857, Fax: 0353-2542656
Email: teraitea@gmail.com

In view of the aforesaid it is requested that the police authorities should not consider the complaint any further as the complainant and his associates are on the other hand disturbing the peaceful possession which may result in breach of peace and disruption of law and order on the land which is under civil dispute. In fact for the last two decades we have been protecting the lands being the decree holders subject to certain conditions.

Yours faithfully
Abhijit Tea Co. Pvt. Ltd.

Pradipkr. Mitra
Pradip Kumar Mitra
S/o Late Akshay Kumar Mitra
(Authorised Representative)
Ph: 9749008824

*Received on 08/12/14 at 12:35 hr
vide GOF NO 40601 08/12/14 and
started Blon PS case NO 1552/14
at 08/12/14, U/S 447/188/SOG/34 JPI
and endorsed the same to SI
D. H. Bakshi for investigation*

[Signature]
Inspector-In-Charge
Bhaktinagar Police Station
Siliguri Metropolitan Police

Regd. Office: 10, Govt. Place (east), 1st Floor, Kolkata-700 069, INDIA
Tel: (033) 4601 3789, Fax: 91 33 22489182, Email: teraitea@gmail.com
A TERAI GROUP ENTERPRISE

of the Complainant / Informant
15. Date & Time of dispatch to the court

Inspector-In-Charge
Bhaktinagar Police Station
Siliguri Metropolitan Police

Signature of the Under-in-Charge, Police Station
Name: DAWA TSHERING SHERPA
Rank No. SI OF POLICE
BK N PS / SPC