

26.08.2021.
Item No. 117.
Court No.13
pk

**W.P.A. No. 10082 of 2020
(Through Video Conference)**

**Bablu Osta
Versus
The State of West Bengal & Ors.**

Mr. Bhaskar Chandra Manna
..for the petitioner.

Affidavit of service filed in Court today is taken on record. Some of the private respondents have not been served. The writ petition is still entertained in view of the order being passed hereunder.

The writ petitioner claims that he is the recorded owner of a plot of land measuring about 2½ decimals situated at Mouza Rambag, J. L. No. 152, Khatian No. 2607, Plot No.4.

The private respondents are stated to have occupied his land and are effecting illegal construction thereat. A portion of the said land appears to have been acquired by the private respondents. There is no demarcation of the said land. The writ petitioner complains that despite having approached the police, the Mahisadal Police Station has not taken any steps to evict the private respondents.

This Court is of the view that a civil dispute as regards the possession and ownership of a land or

demarcation thereof cannot be entertained by the police.

The petitioner shall approach the concerned Block Lands and Lands Reforms Officer for demarcation and/or a civil court for taking step against the private respondents for alleged illegal occupation of the property.

The Officer-in-Charge, Mahisadal Police Station shall ensure that there is no breach of peace in the said area.

The petitioner shall communicate a copy of this order to the private respondents.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)