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jdt.

06.07.2022
jb.

W.P.A. 2095 of 2021
(Sijar Ali & Anr. vs. State of West Bengal & Ors.)

Munjel Alam
.... For the Petitioners

Affidavit-of-service filed by the petitioners, is kept on record.

Despite service, none appears for the respondent No. 6.

Upon perusal of the pleadings it appears that the dispute is with regard to cultivation on a plot of land. The petitioners claim to be the owners in respect of the said land. The petitioners have approached the Block Land and Land Reforms Officer, Jalangi for correction of the record of rights, as their names had not been entered into the land records. It is pleaded that the respondent No. 6 has raised a rival claim with regard to the said land. The petitioners contend that they are in possession of the land. The apprehension is that the respondent No. 6 is trying to raise a construction on the said land. A complaint was filed before the police

authorities. The police authorities failed to take steps, on the basis of the same.

Hence, the writ petition has been filed.

Under such circumstances, the Court does not find that the dispute can be resolved by the police authorities. Neither can the police authorities stop construction on the prayer of the petitioners and on their assertion of title. Remedy of the petitioners is before the appropriate civil Court and before the local authorities, on the allegations of encroachment, boundary dispute and unauthorized construction. In any event, the writ petition is based on apprehension. However, law and order should be maintained in the locality. A vigil should be kept, in order to avoid any untoward incident.

The question of title of the petitioners and the merits of the allegations made herein, have not been gone into.

The writ petition is thus disposed of.

There shall be no order as to costs.

All parties are to act on the basis of the website copy of this order.

(Shampa Sarkar, J.)