

30.06.2022
Court No. 19
Item no.193
CP

WPA No. 3240 of 2022

Nitai Mahata
Vs.
The State of West Bengal & ors.

Mr. Dipanjan Datta
Mr. Atanu Basu
Mrs. R. Saha

....for the petitioner.

Sk. Md. Galib
Mr. Kapil Guha

....for the State.

Mr. Baidurya Ghosal
Mr. P. Sinha Roy
Ms. A. Dutta Roy

....for the respondent nos. 11 & 12.

In the opinion of the court, the writ petition is not maintainable as the directions sought for upon the police authorities cannot be permitted in law.

It is submitted on behalf of the respondent nos. 11 and 12 that a boundary wall has been constructed over the portion of the land purchased by the said respondent and no encroachment has been made over the pond.

The petitioner is at liberty to approach the appropriate authority with the allegation of construction over a pond.

However, the police authorities shall maintain a strict vigil in order to ensure that the parties do not engage in commission of any offence and the law order is maintained.

If the petitioner approaches the appropriate authority on the basis of the demand of justice dated January 27, 2022, the same shall be disposed of in accordance with law. The police report is taken on record.

The writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)