

14.07.2022
Sl.No.403(ML)
srm

W.P.A. No. 5704 of 2022

Sk. Nasir Ali

Versus

The State of West Bengal & Ors.

Mr. Mohinoor Rahaman,
Ms. Maria Rahaman

... for the Petitioner.

Mr. Amitesh Banerjee,
Mr. Suddhadev Adak

...for the State-respondents.

Mr. Mrinmoy Mohan Barat

...for the Respondent Nos.4 to 7.

Affidavit-of-service is taken on record.

The petitioner claims to be the owner of 4 decimals of land situated at Plot No.387, Mouza-Sherpur, J.L. No.129, under police station-Balagarh, District-Hooghly. The petitioner claims such right, through inheritance. It is alleged that when the petitioner wanted to demarcate his portion, the respondent Nos.4 to 7 threatened the petitioner and obstructed to such demarcation. Accordingly, a complaint was lodged before the Officer-in-Charge Balagarh Police Station.

Mr. Barat, learned Advocate appearing on behalf of the respondent Nos.4 to 7, submits that the allegations are false and frivolous. He further submits that the

respondent Nos.4 to 7 did not obstruct demarcation with regard to Plot No.387. The said respondents have their interest in other plots. According to Mr. Barat, all the parties have inherited respective shares from their predecessors-in-interest and are enjoying their respective portions, on the basis of an amicable settlement. According to him, the petitioner had attempted to demarcate a portion, which did not fall within the share of the petitioner.

Be that as it may, this is not a dispute which can be resolved by the police authorities. The police authorities will only keep a vigil to ensure that the parties do not cause any law and order problem. The remedy of the parties including the respondent Nos.4 to 7 with regard to assertion of their rights in respect of their property, is before the learned civil court.

The writ petition is, thus, disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)