

03.11.2022.
Court No.13
Item No. 32
pk

W.P.A. No. 8987 of 2022
Kajal Mondal and another
Versus
State of West Bengal and others

Mr. Nandadulal Bandyopadhyay,
Mr. M. Ghosh,
Mr. Pritam Ghosh

...For the petitioner.

Mr. Subhabrata Datta,
Mr. Subhabrata Das.

...For the State.

The writ petitioner complains that the private respondents have encroached the portions of a land and effected permanent constructions and are raising pillars. It appears that the local police, local villagers and Panchayet have caused a measurement of land-in-question and have found favour with the private respondents.

It is now well settled that only a civil court or a statutory authority can decide upon measurement of a land and extend the title of citizens thereto. Therefore, the measurement effected by any other persons shall not bind on the petitioner.

The remedy of the petitioner is to seek an appropriate relief from a civil court as regards his claim of encroachment by the private respondents.

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

The instructions Monteswar Police Station addressed to the State advocate is taken on record.

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.)