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jdt.

22.12.2022
jb.

W.P.A. 10469 of 2022
(Susanta Kr. Manna & Ors. vs. State of West Bengal & Ors.)

Mr. Suraj Bhattacharyya
.... For the Petitioners

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Mr. Shyamal Sanyal
.... For the Private Respondent

Affidavit of service filed on behalf of the petitioners is taken on record.

It is contended on behalf of the petitioners that though they are co-sharers in respect of the plot in question, they are restrained from entering the plot or possessing the same by a local club being the 5th respondent who has no right, title and interest in respect of the said plot. The petitioners have filed an application before the Block Land and Land Reforms Officer, Bally for demarcation of the plot of the petitioners. Since the said Officer has not considered the said application of the petitioners, the petitioners seek a direction upon the said Officer to cause

demarcation of the plot in question belonging to the petitioners in considering the application submitted by them.

It is submitted on behalf of the respondents that the dispute is purely civil in nature and no direction can be given upon the Block Land and Land Reforms Officer for demarcation of a private property.

It is not in dispute that the petitioners allege obstruction raised by the 5th respondent to the petitioners in entering into their property. The dispute is private dispute and has nothing to do with the State.

For the said reason the prayer of the petitioners for a direction upon the Block Land and Land Reforms Officer for demarcation of the private land over which the petitioners claim right, title and interest, also cannot be acceded to.

In view of the above, the writ petition is dismissed as not maintainable.

There shall be no order as to costs.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)