

25.08.2022
Court No. 19
Item 193 (ML)
CP

WPA No. 15282 of 2022

Laxhmi Kanta Gupta & anr.
Vs.
The State of West Bengal & ors.

Mr. Debashis Banerjee
Mr. Dhananjay Banerjee
Ms. Riya Ballav

....for the petitioners.

Mr. Amitesh Banerjee
Ms. Ipsita Banerjee

....for the State.

Mr. Suman Chakrabarty

....for the private respondents.

The petitioner and the respondent club, shall immediately approach the Executive Officer, Arambagh Municipality for demarcation of the land of the petitioner as per the direction of the Sub-Divisional Officer, Arambagh, Hooghly. Even if the respondent club does not cooperate, such demarcation shall be made.

If any request is made to the police authorities for assistance, the same shall be provided.

The police authorities have already submitted a prosecution against the club members, namely, the respondent nos. 10 to 15 and directed them to maintain peace.

A vigil shall be kept so that peace is maintained. The question of title, encroachment etc. have not been gone into.

If the club claims rival title the club is at liberty to approach the civil court but the club cannot physically obstruct the petitioner from enjoying the property unless the club has a specific right over the property.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)