

16.9.2022
Sl.No.26
sn

WPA 18040 of 2021

Dilip Dalui
Vs.
The State of West Bengal & Ors.

Sk. Toslim Ali
Ms. Saba Parween
..for the petitioner
Ms. Anwari Qurashi
Ms. Zainab Tahur ..for the State

Let the affidavit of service be taken on record.

The petitioner alleges that the panchayat authorities of Jhikira Gram Panchayat were obstructing the petitioner when the petitioner was constructing his boundary wall.

Unless the boundary wall is made of brick or cement and the bounded area is not kept vacant, permission need not be required from the concerned Gram Panchayat.

In this case, the petitioner has started construction of a concrete wall. The petitioner is at liberty to apply for permission to construct a boundary wall in accordance with law. The petitioner may construct a temporary fencing, without permission.

The right, title and interest of the petitioner in respect of the land in question is not gone into.

If the petitioner applies for permission for construction of the wall in the prescribed form, the said application shall be considered in accordance

with law, within a period of six weeks from the date of receipt of the application.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)