

03.11.2022.
Court No.13
Item No. 85
pk

W.P.A. No. 18184 of 2022
Jiad Ali Molla
Versus
The State of West Bengal and others

Ms. Monika Sarkar

...For the petitioner.

Mr. Ansar Mondal,
Ms. Sreelekha Bhattacharya

... for State.

Syed Nasim Aeja,
Syed Md. Ali

... for the private respondents.

The writ petitioner complains that Kasipur Police Station has not submitted report as directed by the Magistrate under Section 147 of the Cr. P.C. He also complains that the private respondents are obstructing egress and ingress of the land.

In so far as the egress and ingress to the land of the petitioner is concerned, counsel for the private respondents submits that his clients are in no way doing so and that the petitioner is seeking to create a pathway into his land through the land of the private respondents. The petitioner denies the same.

In the above circumstances, parties may approach a civil forum to ascertain the extent of their land and the location of the pathway being claimed by the petitioner to be within his land.

The Officer-in-charge, Kasipur Police Station shall submit a report as directed by the Magistrate, as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order. Officer-in-charge, Kossipore Police Station shall see that there is no breach of peace in the area.

Civil rights between the parties shall be decided only in the civil court.

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

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.)