

23.06.2022
Court No. 19
Item no.111
CP

W.P.A. No. 19802 of 2021

Munnaf Ali Sk.
Vs.
The State of West Bengal & Ors.

Ms. Priyanka Jana
....for the petitioner.

Ms. Chama Mookherji
Ms. Paramita Pal
....for the State.

The report filed by the police authorities indicates that the petitioner is the owner of the land in question, as per the land records. The petitioner wants to construct a boundary wall, but the local club members have been enjoying the property for the past 14 years. They have obstructed in the construction of the wall. The report is taken on record.

It further appears that an order was passed by the learned Executive Magistrate, restraining the club from disturbing the petitioner during the process of such construction.

This court is of the view that the dispute is with regard to possession and enjoyment of land. The police authorities cannot be directed to intervene unless, the petitioner complains of any offence.

The Superintendent of Police, Diamond Harbour Police District shall dispose of the representation of the petitioner made through his learned advocate dated November 24, 2021 in accordance with law and take necessary steps with regard to the contents thereof, strictly in accordance with law.

Such representation shall be disposed of within a month from the date of communication of this order. All parties must be heard.

The writ petition is disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)