

20.12.2022
Sl.No.59
Ct.19
sn

WPA 25394 of 2022

**Ramesh Chandra Ghosh & Ors.
Vs.
The State of West Bengal & Ors.**

**Mr. Ziaul Haque
..for the petitioners
Mr. Gousul Alam
Mr. Yusuf Ali
..for the State**

**Mr. Debangana Bhattacharjee
Ms. Swarnali Saha
Mr. Chittaranjan Das
Mr. Aranya Basu
Mr. Sagar Chakraborty
..for the respondent no.5**

This writ petition is not maintainable in its present form.

The petitioners allege that the respondent nos. 4 to 7 tried to take forceful possession of plot nos.587 and 588 corresponding to Khatian no.141 of mouza Pifa Raghampur. Further allegation is that the said respondents were constructing a bamboo fencing around the land.

The issue of dispossession and forceful eviction of the petitioners cannot be decided either by the writ court or by the panchayat authorities.

The law provides that in order to erect a temporary fencing, permission from the panchayat authorities, was not required.

Under such circumstances, this writ petition is not entertained.

The allegations of the petitioners with regard to the alleged dispossession and forceful eviction are not gone into.

The right of the petitioners to approach the appropriate forum, in this regard, is kept open.

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.)