

10.11.2022.
Court No.13
Item No. 18
pk

W.P.A. No. 10922 of 2020
Sri Ashok Samanta
Versus
State of West Bengal and others

Mr. Kamal Mishra,
Mr. Tanmoy Mukherjee,
Mrs. Rimpay Mukherjee
Mr. Pratap Safui,
Mr. Subhadeep Maitra

...For the petitioner.

Mr. Lalit Mohan Mahata,
Mr. Prasanta Behari Mahata.

...For the State.

Md. Sarwar Jahan,
Mr. Maidul Islam Kayal,
Mr. Sumit Naskar

... for the respondent no. 9.

Mr. Sanjay Saha

... for the respondent no. 10.

Supplementary affidavit filed in Court is taken
on record.

Counsel for the petitioner submits that the
private respondent is obstructing the construction of a
boundary wall, which has been completed
substantially.

Counsel for the Panchayet submits that
permission has been lawfully granted to the petitioner
to construct the boundary wall. Upon objection of the
private respondent as regards to the extent of the
petitioner's land, a joint measurement was conducted
and the parties have accepted such measurement. It is

submitted that time to construct boundary wall has been extended from time to time.

In those circumstances, if the petitioner constructs the boundary wall on his premises strictly in terms of the measurement of the Panchayet, he shall be so entitled.

Counsel for the private respondent does not object to the petitioner's construction of boundary wall in terms of the measurement of the Panchayet.

The Inspector-in-Charge, Bagwanpur Police Station shall provide necessary police protection and post a police picket at the cost of the writ petitioner.

The Panchayet Prodhan may inspect the construction of the petitioner to ensure that he is effecting construction in terms of the measurement.

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.)