

ORDER SHEET
WPO/2310/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

AMRIK SINGH SAINI
-VS-
THE STATE OF WEST BENGAL AND ORS.

BEFORE:
HON'BLE JUSTICE RAJASEKHAR MANTHA
DATE: 10TH NOVEMBER 2022.

APPEARANCE:
Mr. R. Chakraborty, Adv.; Ms. S. Ghosh Basu, Adv.; Ms. S. Sengupta, Adv., for petitioner.
Mr. M. Malhotra, Adv.; Mr. S. Chatterjee, Adv., for State.
Mr. S. Chaudhuri, Adv., for private respondent.

THE COURT: The petitioner intends to construct a boundary wall over the premises which he claims to be his own. The private respondent disputes the same. It is submitted that the land over which the boundary wall is proposed to be constructed does not belong to the petitioner and is public property.

These issues cannot be decided by a Writ Court under Article 226 of the Constitution of India, much less by the police. The petitioner may take out appropriate civil proceedings in connection with his rights to the property on which he intends to construct the boundary wall.

With the aforesaid observations, the writ petition is disposed of without any order as to costs.

The Report of the Officer-in-Charge, Ekbalpore Police Station, dated November 10, 2022 is kept with the records.

(RAJASEKHAR MANTHA, J)