

24.03.2023
Court No. 19
Item no.92
CP

WPA No. 4597 of 2023

Md. Enchan Laskar
Vs.
The State of West Bengal & Ors.

Mr. Sudarsan Halder
.....for the petitioner.

Mr. Raja Saha
Ms. Tanusri Chanda

.....for the State.

The petitioner alleges that there has been encroachment on his private land by the respondent nos. 8 and 9. He seeks direction upon the Pradhan and the Block Land and Land Reforms Officer to effect partition of his portion so that the aspect of encroachment would become evident. It is also submitted that a PWD road is running through the land of the petitioner.

The allegation with regard to the PWD road is not a part of the pleadings and hence, cannot be decided.

Demarcation of the land of the petitioner in order to assess the extent of encroachment is a matter which the petitioner has to agitate in a civil suit. The petitioner may approach the competent forum for directions upon the Block Land and Land Reforms Officer.

With the above observation, the writ petition is disposed of.

The prayer of the petitioner for a direction upon the panchayat authorities to settle the dispute cannot be permitted, as these are private disputes with regard to right, title and possession and the law does not empower the panchayat authorities to determine the same.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)