

12-06-2023
ct no. 13
sl. no. 43
sp

WPA 5610 of 2023

Nani Gopal Mondal

-Versus-

The State of West Bengal & Ors.

Mr. Shankha Shubhra Mukherjee,
Ms. Barnali Saha

...for the petitioner

Mr. Ashim Kr. Ganguly,
Mr. Joydip Banerjee

...for the State

Mr. Sunny Nandy,
Mr. Anand Jha,
Mr. Tamal Singha Roy

...for the private respondents

1. The petitioner claims that he is the recorded owner of a Plot No. 44, measuring about 02 Cottahas, 03 Chittacks and 09 Sq.ft being Touzi No. 2998, JL No. 05, Khatian No. 73, Dag No. 154 under Kheyada-II Gram Panchayat. The petitioner claims that his name is recorded with the BL & LRO.
2. The private respondent is a power of attorney holder. He has challenged the petitioner's title to the property.
3. If the private respondent is in any way aggrieved by the petitioner's title, he may take out appropriate civil proceedings and obtain interim relief upon notice to the petitioner.

4. The petitioner may construct his bamboo fencing subject to any orders that may be passed by any civil forum.
5. The Narendrapur Police Station shall, however, ensure that there is absolutely no breach of peace in the area.
6. With the aforesaid observations, the instant writ petition shall stand disposed of.
7. There shall be no order as to costs.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)