

15-05-2023
ct no. 13
Sl. 20
pk

WPA 9384 of 2023

Pradip Mahadani

-Versus-

The State of West Bengal & Ors.

Mr. Srijib Charkraborty
Mr. Sougata Mitra,
Mr. Subhadeep Maitra

... for the petitioner

Mr. Asish Guha,
Mr. Jayak Gupta

... for the State.

1. Affidavit of service filed in Court is taken on record.
2. The writ petitioner claims a right to construct a boundary wall on his premises.
3. On scrutiny of the title deed it appears that the petitioner purchased 13.3 decimals of land and is in occupation of 15 decimals of land.
4. The Police cannot determine the extent of the petitioner's land or his actual occupation and/or entitlement.
5. In the event of any obstruction from any respondent, the petitioner may approach the Civil Court. In the facts and circumstances of the case there cannot be interference by the Writ Court.

6. This Court finds on inaction on the part of the Police. The Police shall ensure that there is no breach of peace in the area.

7. The writ petition is disposed of.

8. There will be no order as to costs.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)