

October 18, 2023
AD 30
Court No.14
SG

WPA 21836 of 2023

Santipada Baidya and another
vs.
The State of West Bengal and others

Mr. Dinesh Chandra Mondal
Mr. Debabrata Mondal
... for the petitioners
Mr. Jayanta Samanta
Mr. Subhojit Chowdhury
... for the State

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned advocate for the petitioners submits as follows. The petitioners are the owners of the property in question. They wanted to construct a boundary wall to protect the property with valid permission. In spite of this, the private respondents, who are the local mafia, are trying to extort money from the petitioners. Unless a substantial sum is given to them, they would not allow the petitioners to make the boundary wall. This was brought to the notice of the police, but no steps were taken.

Learned advocate for the State relies on the report and submits that the police authorities have not received any such complaint from the petitioners.

It does not appear that there is an endorsement showing receipt of the complaint by the police.

It further appears that the petitioners were granted permission to construct a boundary wall to surround the raiyati land.

Except in accordance with law no one has any right to to prevent the petitioners from constructing such wall either by demanding money or otherwise.

If such a complaint is made by the petitioners that the private respondents are preventing them from constructing boundary wall and demanding money from the petitioners, the police shall take necessary action forthwith. They shall post a police picket when the construction of the boundary wall is to be done.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]