

12.05.2023
Court No.13
Item No.515
pk

WPA 24432 of 2022

**Major Dibyendu Pal
Vs.
State of West Bengal and Ors.**

Ms. Sutapa Sanyal,
Mr. Rahul Das.

... For the petitioner.

Mr. Amal Kumar Sen,
Mr. Lal Mohan Basu,
Mr. Asim Sil.

... For the State.

Mr. Chandrachur Chatterjee.

..For the private respondents.

1. Affidavit of service filed in Court is taken on record.

2. The writ petitioner is a Defence personnel. He has a plot of land adjacent to his house. His old parents stay in this house. Persons, who were engaged by the petitioner and his family to cultivate the land and worked thereat, are now seeking to take over the said property.

3. The petitioner tried to construct a fencing thereat but could not do so in view of the obstructions of the private respondents.

4. Since the petitioner is an Army Personnel and is living with aged parents, Ausgram Police Station shall assist the petitioner to enable him to construct a fencing around his land.

5. In the event the private respondents want to raise any civil claim in respect of the land in question, they may take out appropriate civil proceedings in accordance with law.

6. Report of the Ausgram Police Station dated 15th November, 2022 filed in Court today be taken on record.

7. In view of the above, the instant 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.)