

28.02.2023.
Court No.13
Item No. 14
ap

W.P.A. No. 25865 of 2022
Kishori Mohan Mula @ Kishori Mula
Versus
The State of West Bengal & Ors.

Mr. Prosenjit Mukherjee,
Mr. Arghya Kamal Das,
Ms. Poulami Dutta.

...For the petitioner.

Mr. Rajdeep Bhattacharya.

...For the respondent nos.7, 8 & 9.

The petitioner is aggrieved that despite the order of the Executive Magistrate under Section 144 of the Code of Criminal Procedure and the report of the Shyampur Police Station, Howrah, the petitioner is unable to construct a boundary wall on the southern side of his plot of land.

The private respondents are represented. The private respondents submit that there is a dispute as to the extent of the petitioner's land.

This Court is of the view that Shyampur Police Station cannot determine the nature and extent of the petitioner's land. The petitioner may obtain appropriate order from the Civil Court with regard to his rights against the private respondents.

The Officer-in-charge, Shyampur Police Station shall, however, ensure that there is absolutely no breach of peace in the area.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)