

19.06.2023.
Court No.13
Item No. 241
ap

W.P.A. No. 26311 of 2022

**Sri Joydev Das
Versus
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee,
Mr. Omar Faruk Gazi,
Mr. Sandipan Das,
Mr. Dipankar Das.

...For the petitioner.

Mr. Asish Kumar Guha.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner complains that the private respondents are obstructing the peaceful enjoyment of his land.
3. Admittedly, the petitioner's land is not demarcated. In the process of demarcation, the petitioner intends to get his land demarcated for construction of a boundary wall.
4. Nadanghat Police Station, Purba Bardhaman has filed a report dated 6th December, 2022 which is kept with the record.
5. It appears therefrom that there is a constant friction between the petitioner and the private respondents. It further appears therefrom that no permanent boundary wall ever existed on the petitioner's land. There is a rough boundary made of branches of the trees.

6. In those circumstances, the petitioner shall be entitled to get his land demarcated.

7. Nadanghat Police Station shall assist the process of demarcation by the local Block Land & Land Reforms Officer, Purbasthali Block-I.

8. Once the petitioner's land is demarcated in accordance with law, he shall be entitled to construct a boundary wall thereat. If there is any dispute raised by the private respondents on the demarcation or the entitlement of the petitioner, they may take out civil or statutory proceedings in accordance with law.

9. Nadanghat Police Station shall ensure that there is absolutely no breach of peace in the area.

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

11. There will be no order as to costs.

12. 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.)