

11.01.2023.
Court No.13
Item No.24
pk

W.P.A. No. 27100 of 2022

**Gautam Dutta
Versus
The State of West Bengal & Ors.**

Mr. Allen Felix

...For the petitioner.

Despite service of notice, the private respondents are not represented.

In the order dated 18.08.2022 passed by a Co-ordinate Bench of this Court in WPA No. 14820 of 2022, the petitioner was permitted to effect construction of the boundary wall in accordance with law. The submissions of the private respondents were recorded that if the petitioner constructs wall within his boundary, they have no objection to such construction.

The petitioner now complains that despite such order, police are not taking any steps to enable the petitioner to effect construction.

In the above circumstances, the O. C., Bardhaman Sadar Police Station shall carry out the order passed by the Co-ordinate Bench dated 18.08.2022 referred to herein above and permit the petitioner to construct boundary wall strictly within his boundary premises. The petitioner shall not encroach upon anybody else's land. In the event of any apprehension with regard to any dispute as to the

extent of the petitioner's land. The petitioner and/or the private respondents may approach a civil court for the purpose of establishing such right.

The writ petition is 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.)