

32. 24.03.2023
Court No.13
Tanmoy Ghosh

WPA 8944 of 2020

Mangal Gurung & Ors.

-Versus-

The State of West Bengal & Ors.

With

IA No: CAN/1/2022

Mr. Sabyasachi Chatterjee, Adv.,
Mr. Subhas Chandra Atha, Adv.,
Ms. Payel Pramanik, Adv.,
Mr. Sandipan Das, Adv.,
Mr. Badrul Karim, Adv.

...for the petitioners/applicants.

In Re: IA No: CAN/1/2022

Sufficient grounds are available to explain the absence of the petitioners on November 10, 2022. The said order is recalled.

The writ petition is restored to its original file and number.

The application being IA No: CAN/1/2022 is disposed of

In Re: WPA 8944 of 2020

The writ petitioners seek intervention of the local Police of the Bishnupur Police Station against the private respondents from creating obstruction in his property. It is submitted that some private respondents with the help of the Divisional Forest Officer, Bishnupur, are encroaching upon his land and preventing the petitioner from constructing a wall.

This Court is of the view that the dispute between the petitioner and the private respondents and the forest Officials is civil in nature. The writ Court cannot determine the extent of the petitioner's land *vis-à-vis* the Forest Department or that of the private respondents. The petitioner may initiate civil proceedings in this regard.

The Bishnupur P.S. shall ensure that there is no breach of peace in the area.

The writ petition being WPA 8944 of 2020 is disposed of.

(Rajasekhar Mantha, J.)