

M/L522
11.12.2024
Rohit
ct.no.35

WPA 7512 of 2024

**Kalyan Chakraborty
Versus
The State of West Bengal & Ors.**

Mr. Subhas Chandra Atha
Ms. Payel Paramanik
...for the petitioner

Mr. Susanta Pal
Mr. Prabir Kumar Ray
....for the State

Mr. L. Betal
Mr. Bhaskar Hutait
Mr. M. Patra
....for the respondent No.8

Petitioner is aggrieved by the fact that he has purchased the plot of land where there has been an encroachment and illegal construction.

Learned Advocate for the State has submitted a report. Report reflects that Section 107 Cr.P.C proceedings have been drawn up by the police authorities. Petitioner prays for demolition of the structure which has been built at his subject property. Petitioner would approach the jurisdictional Civil Court for removal or demolition of the said structure.

Learned Advocate appearing for the private respondents submits that the construction which has been created is on his own land. Accordingly, there is a disputed question of fact involved as the petitioner and the respondents over the self-same subject property tries to establish their claim.

The concerned Civil Court would decide the issue in accordance with law if an appropriate proceeding is initiated before the said Court.

With the aforesaid observations WPA 7512 of 2024 is disposed of .

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)