

23.09.2024
Sl. No. 30
g.b.
Court No.07

W.P.A. 20680 of 2024
Haran Gazi & Anr.
-Vs-
The State of W. B. & Ors.

Mr. Gautam Banerjee
Mr. Sandip Kumar Mondal
.....For the Petitioners
Mr. Jayanta Sinha
Mr. Sandip Mandal
.....For the State

Affidavit of service filed in court today is taken on record.

The petitioners claim to be the patta holder in respect of Dag No. 906/955, Mouza – Neruli Abad under Police Station – Minakhan in the district of North 24 Pgs.

The petitioners lodged a complaint before the Officer-in-charge, Minakhan Police Station alleging that the private respondents herein are creating disturbances in the peaceful possession of the petitioners in respect of the property in question and they are trying to encroach upon the property of the petitioners and are taking steps for raising construction thereupon.

After going through the complaint lodged by the petitioners it appears that the dispute between the private parties pertain to an immovable property and such dispute is civil in nature. The police authorities have not been vested with the power to decide such civil dispute. The Writ Court cannot decide such disputed question of fact.

The writ petition, accordingly, stands disposed of leaving the petitioners free to approach the civil court of competent jurisdiction for appropriate reliefs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)

