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24.09.2024
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WPA 20990 of 2024

Md. Nizamuddin
Vs.
The State of West Bengal & Ors.

Ms. Sanghamitra Nandy
... for the petitioner.

Mr. Jayanta Samanta
Mr. Kazi Sajjad Alam
... for the State.

The petitioner has prayed for an order directing posting of police personnel and to render assistance to the petitioner so that the petitioner can construct a boundary wall encircling his property.

Ms. Nandy, learned advocate for the petitioner submits that construction of such boundary wall is necessary for the purpose of protection of the property of the petitioner.

Heard the learned advocate for the State.

The petitioner claims to be the exclusive owner in respect of Dag No. 1414, Khatian No. 1340, J. L. No. 45, Mouza Mobarakpur, Police Station Rajarhat, District North 24-Parganas. The petitioner also claims to be a co-sharer in respect of an adjoining plot of land.

Ms. Nandy, learned advocate for the petitioner further submits that the co-sharers of the petitioner in respect of the adjoining land is creating obstruction in the matter of raising the boundary wall. Before allowing a person to construct a boundary wall, the boundary line of the property is to be demarcated physically. Police authority is not vested the power to decide on the issue of boundary line of an immovable property.

In view thereof, this Court is not inclined to pass any order at this stage directing the police authorities to render assistance in the matter of raising of boundary wall. Petitioner is left free to approach the proper forum for such relief in accordance with law.

Ms. Nandy, learned advocate for the petitioner submits that the co-sharer of the petitioner in respect of the adjoining land is threatening the petitioner. However, no such complaint has been lodged before the police authorities. In the event a specific complaint in that regard is lodged before the police authorities, the police authorities shall take steps pursuant to such complaint, if any, lodged before them and take appropriate steps in this regard.

With the above observations and directions, the

writ petition stands disposed of.

There shall, however, be no order as to costs.

(Hiranmay Bhattacharyya, J.)