

2 04.11.2024

G.S.Das

**Banerjee Enterprises, Jhalda
-Vs-
The State of West Bengal & Ors.**

Mr. Jahar Lal Dey
Mr. Durga Bhusan Mukherjee
... for the State
Mr. Suman Sengupta
Mr. S. Chakraborty
... for the respondent no.7-10

Learned advocate for the petitioner submits that his grievance relates to construction of a boundary wall in respect of a property which belongs to him and also that the police authorities are not cooperating in respect of such construction which he intends to carry out but is being obstructed by the private

respondents.

The records of the case reflect that on 12.08.2024, a representation was made by one of the partners of the petitioner to the Sabhapati, Jhalda-I, Panchayat Samity, wherein, it reflects that during their absence, an outsider tried to enter the premises and created certain damages.

It was further prayed that permission be granted by the concerned Panchayat Samity for construction of the said boundary wall.

Learned advocate for the State opposes the contentions advanced by the petitioner and submits that the police has no role to play in respect of construction of the boundary wall, which is absolutely a private dispute and civil in nature and, there is no order from a court of law for

the police to act.

Mr. Sengupta, learned advocate, appearing for the respondent nos. 7, 8, 9 and 10, submits that he has raised his objection with the appropriate authorities.

Be that as it may, I have considered the contents of the writ petition and I find that the prayer so advanced in the writ petition do not call for any interference by this court for a direction to be given upon the police authorities.

However, the police authorities would see that no breach of peace and tranquility takes place at the locale and keep a strict vigil in the area of dispute which is the subject-matter of the writ petition.

With the aforesaid observations, WPA 21393 of 2024 is disposed of.

Parties to act on a server copy

of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)