

D/L.70.
October 7, 2024.
MNS.

WPA No. 22544 of 2024

Jasprit Kour and others
Vs.
The State of West Bengal and others

Mr. Dibyendu Chatterjee,
Mr. Rahul Deb Goenka

... for the petitioners.

Mr. Vimal Kumar Shahi,
Ms. Sangeeta Roy

...for the State.

Ms. Rakhi Shroff,
Mr. Koustav Ratan Chatterjee

...for the respondent nos. 4 to 8.

The petitioners allege that the private respondents herein are creating disturbances while the petitioners' are attempting to erect the boundary wall upon the property being LR Dag No. 6816 within Mouza- Raniganj Municipality.

The learned Advocate appearing for the petitioners submits that erection of boundary wall encircling the property of the petitioner is necessary for the purpose of protection of the property from encroachment by the outsiders.

The learned Advocate appearing for the private respondents submits that a suit, being Title Suit No. 556 of 2024, is pending before the learned Civil Judge (Junior Division), 2nd Court at

Asansol, and the petitioners herein have been impleaded as the defendants in the said suit.

The learned Advocate appearing for the State submits that the dispute is purely a private dispute.

A copy of the plaint of Title Suit No. 556 of 2024 has been produced before this Court.

After going through the same, this Court finds that the petitioners have been impleaded as defendant nos. 2, 3 and 4 in the said suit.

Since the title suit is pending, this Court is not inclined to grant any relief in favour of the petitioners. That apart, the police authorities cannot decide the issue as to the boundary line of an immoveable property.

The petitioners are left free to approach the proper forum for appropriate reliefs in accordance with law.

With the above observations and directions, the writ petition stands disposed of.

There will be no order as to costs.

Photostat certified copy, if applied for, be given to the parties.

(Hiranmay Bhattacharyya, J.)