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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23107 of 2024

Khagendranath Rana & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Parvej Anam,
Ms. Puspa Rani Jaiswara
...for the petitioners

Mr. Wasim Ahmed,
Mr. Sk. Md. Masud
...for the State

The petitioners allege that the private respondents have illegally constructed a structure on the land of the petitioners.

The learned Advocate appearing for the petitioners, in his usual fairness, submits that the private respondents have demolished a part of the said illegal construction but some of the pillars are still remaining in the said property. Learned Advocate for the petitioners prays for a direction upon the police authorities to demolish the pillars, which have been illegally constructed on the property of the petitioners by the private respondents.

The learned Advocate for the petitioners submits that the petitioners lodged a complaint before the Pradhan of the concerned Gram Panchayat as well as before the Officer-in-Charge,

Belda Police Station, alleging that the private respondents have made unauthorized and illegal construction on their property.

Insofar as the relief for demolition of the pillars erected by the private respondents on the property of the petitioners is concerned, this Court is of the considered view that the petitioners have to approach the civil court of competent jurisdiction for appropriate reliefs including demolition of the illegal construction alleged to have been made by the private respondents on their property.

Since the petitioners have lodged a complaint before the police authorities stating that the family members of the petitioners are living in fear, the Officer-in-Charge, Belda Police Station, being the third respondent herein, is directed to see that no breach of peace takes place at the locale.

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

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

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)