

S/L 19
15.01.2024
Court No. 14
*Sourav/
Suvayan*

WPA 22471 of 2023

**Dohichand Gope & Ors.
Vs.
The State of West Bengal & Ors.**

*Mr. Sougata Mitra
Ms. Soma Chakraborty
Ms. Subhasree Chatterjee
Mr. Subhadeep Maitra*

... for the petitioners.

*Ms. Sonal Sinha
Mr. Avishek Prasad*

... for the State.

*Mr. Swahar Jahan
Mr. Amit Bikram Mahata*

... for the respondent nos. 5 to 9.

Affidavit-of-service filed by the petitioners be taken on record. Report filed on behalf of the State be also taken on record.

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioners are the patta holders of the land in question. They want to construct a boundary wall to protect their land. A prayer has also been made for the police to ensure that the private respondents cannot create any hindrance to the enjoyment of the property by the petitioners.

Learned Counsel appearing on behalf of the private respondents denies the allegations made by the petitioners and submits that the petitioners had been enjoying the land as owners since 1941. In fact, they

had filed a Title Suit against the Government where the petitioners are also a party.

Learned Counsel appearing on behalf of the State relies on the report and submits that the petitioners want to construct a boundary wall on their agricultural land which will block the ingress and egress to the land of the private respondents lying behind the petitioners' land.

It appears that civil disputes exists between the private parties. If any of the party wants to establish any further right in respect of the property, the same has to be done before an appropriate forum.

It also appears that the police have taken steps in respect of the complaint lodged by the parties and a proceeding under Section 107 of the Code was initiated.

Therefore, no further orders need be passed in this regard.

However, the police shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and the respective possessions of the private parties are not disturbed.

With these observations, the writ petition being **WPA 22471 of 2023** is disposed of.

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

(Jay Sengupta, J.)