

04.11.2024
Item No.30
Ct. No.35
dc.

W.P.A. 23222 of 2024

**Tanmay Chakraborty
versus
The State of West Bengal & Ors.**

Mr. Amitesh Banerjee,
Mr. Akash Dutta ... For the State.

None appears for the petitioner.

The issue which has been canvassed in the writ petition revolves round the demarcation of land. The accusations of the present petitioner is that the private respondents are trying to capture his land with the aid of false and fraudulent/forged deed.

Mr. Banerjee, learned senior standing counsel appearing for the State submits that an enquiry was conducted and both the petitioner and the private respondents were found to be present in an undemarcated land which is reflected by way of Rupnarayanpur G.D. Entry No. 194 dated 05.07.2024.

In view of the submissions advanced on behalf of the State, I am of the opinion that if there is any violation of law, the petitioner would be at liberty to approach the jurisdictional civil court for demarcation and establishment of his right, title and interest. The petitioner will also be at liberty to approach the criminal court either under Section

175 of the BNSS, 2023 or under Section 223 of the BNSS, 2023.

With the aforesaid observations, the writ petition being WPA 23222 of 2024 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)