

D/L. 76.
October 4, 2024.
MNS.

WPA No. 23579 of 2024

Ajoy Bag
Vs.
The State of West Bengal and others

Mr. Arka Bhattacharya

... for the petitioner.

Mr. Akash Dutta

...for the State.

Mr. Sandip Ghosh,
Mr. Julfikar Mallick,
Mrs. Moumita Ghosh

...for the respondent nos. 7, 9
and 10.

Affidavit-of-service filed by the petitioner is
taken on record.

The petitioner alleges that the private respondents, who are the adjoining owners of the land, are resisting the petitioner while the petitioner attempted to construct a boundary wall encircling his property. The learned Advocate appearing for the petitioner submits that construction of the boundary wall encircling the property of the petitioner is necessary for the purpose of protection of the property of the petitioner for encroachment by outsiders. The petitioner has approached this Court alleging inaction on the part of the police authorities. The learned Advocate appearing for the petitioner, in

his usual fairness, submits that there is a boundary dispute between the petitioner and the private respondents.

The learned Advocate appearing for the petitioner places reliance on a decision of a co-ordinate Bench of this Court dated April 30, 2024 in WPA No. 7648 of 2024 in support of his contention that a direction should be passed upon the police authorities to enable the petitioner to construct a boundary wall encircling his property.

Heard the learned Advocate appearing for the State and the private respondents.

The co-ordinate Bench in WPA No. 7648 of 2024 held that the petitioner therein wanted to have the land demarcated and had already applied before the concerned BL&LRO to have the land demarcated in presence of the petitioner and the private respondents and gave liberty to the petitioner to seek necessary police help after such demarcation is done.

Nothing has been brought before this Court to show that in the present case the BL&LRO has demarcated the land of the petitioner and the private respondents.

The boundary dispute between the petitioner and the private respondents is yet to be resolved.

In view thereof, this Court is not inclined to grant any relief in favour of the petitioner as no case for police inaction has been made out. The petitioner is 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.)