

07.05.2024  
Item No.18  
PG/KS  
Ct. No.1

**M.A.T. 2531 of 2023  
With  
IA No. CAN 1 of 2024**

**Bablu Osta  
Versus  
The State of West Bengal & Ors.**

Mr. Bhaskar Chandra Manna  
.....for the Appellant  
Mr. Salil Kumar Maiti  
.....for the respondent nos.8, 9 & 14

1. This intra-Court appeal by the writ petitioner is directed against the order dated 19<sup>th</sup> May, 2023 in W.P.A. 7804 of 2022. This is the second time, the petitioner comes up before this Court.
2. In the earlier round, an order has been passed directing the B.L. & L.R.O. to demarcate the property. Not satisfied with the direction, the appellant filed an intra-Court appeal.
3. In the appeal, the Hon'ble Division Bench held that the dispute is purely of civil nature, but affirmed the direction issued by the learned Single Bench, pursuant to which, the B.L. & L.R.O. has demarcated the property.

4. Now, the petitioner seeks police help for the purpose of taking possession of the property.
5. The learned Single Bench rightly declined to grant such a relief as it is beyond the scope of the petition under Article 226 of the Constitution of India.
6. With the above observations, appeal and the connected application (IA No. CAN 1 of 2024) stand dismissed.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

**(T.S SIVAGNANAM)**  
**CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**