

Sl.No.

101 24.01.2025

Court

No. 35

G.S.Das

WPA 660 of 2025

Aasish Ranjan

-Vs-

The State of West Bengal & Ors.

Mr. Rabindranath Mahato

Mr. Aritra Shankar Ray

... for the petitioner(s)

Mr. Amal Kr. Sen, Id. AGP

Ms. Ashima Das (Sil)

... for the State-respondent(s)

Mr. Sukanta Das

... for the private respondents

The petitioner is aggrieved by the fact that in spite of an ad interim injunction order being passed in T.S. 749 of 2023 (R) and the subsequent order(s) passed by the same Court directing the Officer-in-charge of Kharagpur (L) P.S. to provide necessary police assistance to implement the ad interim injunction order, the police authorities are not rendering proper assistance for construction of a boundary wall so that the petitioner can protect his own property which he has

purchased.

State has submitted a report which reflects that the property referred to is a government forest land (*Saal Jungle Govt. land*). There is also a temple which is used by the villagers for worshipping and performing *puja*.

Learned advocate for the private respondent nos. 5 to 8 also disputes the contentions advanced by the petitioner.

Be that as it may, the ad interim injunction order passed by the learned Civil Judge calls for no interference with regard to peaceful possession and enjoyment of the property by the petitioner. But the petitioner has sought for police assistance for the purposes of construction of a boundary wall which was never the subject-matter before the learned Civil Court.

Be that as it may, if the petitioner wants to construct the said boundary wall, he will approach the appropriate authorities or the concerned Civil Court for appropriate order(s) and/or direction(s). The police authorities have not been directed by the learned Civil Court for rendering any assistance for construction of such boundary wall.

In view of the aforesaid, I grant liberty to the petitioner to approach the learned Civil Court already *in seisin* of the matter with his prayer(s). It would be the discretion of the said Court to consider the prayer(s) if the same is tenable in the eye of law.

With the aforesaid observations, WPA 660 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. Let a copy of the report be handed over to learned advocates for the petitioner and the private respondent(s).

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)