

03.09.2025.
09
Ct.No.7.
as

WPA 1198 of 2020

Sariful Islam
Vs.
State of West Bengal & Ors.

Mr. Partha Pratim Roy,
Mr. Samrat Chakraborty,
Mr. Saikat Gauen.

.....for the Petitioner.

Mr. Pantu Deb Roy, Ld. A.G.P.,
Mr. Panna Lal Bandyopadhyay.

...for the State.

1. This writ petition has been preferred alleging inaction on the part of the respondents in taking appropriate steps against the private respondents who, according to the petitioner, have illegally encroached upon land belonging to the Government of West Bengal and constructed an unauthorized structure thereon.

2. During the course of hearing, Mr. Deb Roy, learned Additional Government Advocate representing the State, produced certain documents and submitted that upon receipt of a complaint from the petitioner, an enquiry was conducted. The enquiry revealed that Plot No. 687 of Mouza-Hasanpur, P.S. Ranitala, Murshidabad, is private property, and the private respondents are the owners of a portion of that plot. They have constructed a pucca structure on the land purchased by them from the erstwhile owner and are running a sweetmeat shop from the building. Therefore, according to him, the dispute between the petitioner and the private

respondents is a civil matter. He submits that the petitioner is at liberty to approach the competent forum. The documents produced by Mr. Deb Roy are taken on record.

3. Heard the learned Advocates appearing for the respective parties and perused the materials on record including the enquiry reports submitted by Mr. Roy.

4. As noted earlier, upon enquiry, it was found that the private respondent has constructed a pucca structure on a portion of Plot No. 687, a portion of which has also been purchased by the petitioner. If the structure erected by the private respondent obstructs ingress and egress to the petitioner's land, the dispute is essentially civil in nature. Since the Government is not the owner of Plot No. 687, it cannot be compelled to intervene in the dispute or take any action against the private respondents, as sought by the petitioner.

5. In view thereof, I am of the view that no interference is warranted in this writ petition.

6. Accordingly, the writ petition is dismissed, however, without any order as to costs.

7. However, the petitioner is at liberty to approach the appropriate forum to have his grievance redressed in accordance with law.

(Partha Sarathi Chatterjee, J.)