

12.11.2025
ML-583
AMR
Ct.No.15

WPA 2954 of 2025
Mrityunjoy Sen
-vs.-
The State of West Bengal & Ors.

Mr. Sabyasachi Hazra

...for the petitioner

Mr. Aniruddha Chatterjee, Sr. Adv.
Mr. Abirlal Chakraborty

...for the Respondent no. 7

Mr. Vimal Kumar Shahi, Ld. AGP
Ms. Pratiti Das

...for the State

The petitioner alleges that respondent no. 7 has encroached upon a portion of L.R. Plot No. 322, Mouza – Moirapukur, J.L. No. 105, under P.S. Bishnupur, District – Bankura.

The petitioner submits that he has obtained a decree from a competent Civil Court declaring his ownership in respect of the said plot of land. It is alleged that respondent no. 7 is constructing a temporary road encroaching upon the petitioner's land. It is further alleged that respondent no. 7 is attempting to raise unauthorized construction on the said land.

The allegations made by the petitioner are denied by respondent no. 7. It is submitted on behalf of respondent no. 7 that there has been a long-standing school building on the said plot, and no new construction has been undertaken.

Having regard to the nature of the dispute involved in this writ petition, I am of the view that there is no scope for this Court to issue any direction upon the Gram Panchayat. Since no recent construction has been established, and the dispute primarily concerns the alleged formation of a kachha road by way of encroachment, this Court finds that the grievance of the petitioner is essentially of a private dispute.

For seeking relief against any alleged encroachment or construction, the appropriate forum for the petitioner is the Civil Court. It is an admitted position that the petitioner has already instituted a title suit against respondent no. 7.

In view of the above observations, **WPA 2954 of 2025** stands disposed of.

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

(Kausik Chanda, J.)