

13.11.2025
Sl. No. M/599
g.b.
Court No.15

W.P.A. 3396 of 2025

Srikanta Bhowmik
-Vs-
The State of West Bengal & Ors.

Mahammed Reajul
.....For the Petitioner
Mr. Lal Mohan Mahata
Mr. Prsanta Behari Mahata
.....For the State
Gazi Faruque Hossain
Ms. Jnui Dutta Chakraborty
Mr. Rakib Hossain Khan
.....For the Respondent No. 7 and 8
Ms. Ipsita Ghosh
....For the Respondent No.4

It is the grievance of the petitioner that respondents Nos. 7 and 8 are obstructing the petitioner's easementary right by constructing a boundary wall over R.S. Plot No. 716, Khatian No. 274, J.L. No. 39, Mouza – Rana, Police Station – Shyampur, District – Howrah.

Learned advocate appearing for respondents Nos. 7 and 8 submits that a civil suit between the parties, involving the same dispute, is already pending before the competent Civil Court.

This Court is unable to entertain the present writ petition for the simple reason that the

construction of a boundary wall, by itself, does not require any sanctioned plan from the Panchayat Authority. This issue has already been decided by this Court by a judgment dated November 12, 2025, in WPA 15155 of 2025 (*Suman Das v. The State of West Bengal and Ors.*).

Accordingly, there is no occasion for involving the Gram Panchayat in the dispute between the private parties.

In that view of the matter, no writ can be issued as prayed for in this petition.

Consequently, **WPA 3396 of 2025** is dismissed.

However, this order shall not preclude the petitioner from filing an appropriate application in the pending civil suit for redressal of his grievance, in accordance with law.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on urgent basis after completion of all necessary formalities.

(Kausik Chanda, J.)