

13.11.2025
Sl. No. M/623
g.b.
Court No.15

W.P.A. 3715 of 2025

SRJB Memorial Trust
-Vs-
The State of West Bengal & Ors.

Mr. Subhrajit Saha
Mr. M. Saha
.....For the Petitioner
Ms. Sonal Sinha
Ms. Ashmita Chakraborty
.....For the State
Mr. Ambu Bindu Chakraborty
Ms. Mrinmoyee Roy Chowdhury
.....For the Respondent Nos. 14, 17 to 19

The petitioner alleges that a boundary wall has been constructed at the instance of the private respondents. It is claimed that no permission was obtained prior to the construction of the said boundary wall. It is further alleged that the boundary wall encroaches upon a public road maintained by the Malda Zilla Parishad.

This Court is unable to adjudicate the issue of encroachment in the present writ petition. The petitioner will be at liberty to approach Civil Court for redressal of this grievance. Insofar as the question of obtaining permission from the Pradhan for construction of the boundary wall is concerned, the 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.*).

The averments made in paragraph 4 of the writ petition clearly indicate that the land alleged to have been encroached is classified as “Bagan.”

In view of the aforesaid judgment, this Court is of the opinion that the boundary wall in question does not require prior permission from the Panchayat authorities.

Accordingly, **WPA 3715 of 2025** is disposed of.

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.)