

Sl.No. 95 23.04.2025
Court No. 35
G.S.Das

WPA 7674 of 2025

Ranjit Kumar Dutta & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Atis Kumar Biswas
Mr. Soumyajit Bhatta
Mr. Mihir Saha
Mr. Amit Singh
... for the Petitioner(s)
Mr. Wasim Ahmed
Mr. Md. Shahabuddin
... for the State-respondent(s)
Mr. Prasenjit Barman
Mr. Swapnesh Mallik
... for the respondent nos. 5 and 6
Mr. Arka Tilak Bhadra
... for the Municipality

The petitioner is aggrieved by the inaction of the police authorities as no assistance is extended to him while constructing a boundary wall for which he has sanction plan.

The private respondent(s) - the adjacent plot owners, are forcefully obstructing the construction by constantly interfering with the masons so engaged by the petitioner.

State has submitted a report

which reflects that there is a dispute in respect of both the parties claiming in respect of encroaching the land.

However, the police authorities have drawn up a proceeding on 08.04.2025 under Section 126 of the BNSS.

So far as the issue relating to construction is concerned, learned advocate for the private respondent nos. 5 and 6 submits Photostat copy of a document issued by the Chairman, Panihati Municipality wherein a direction has been passed for no construction to be proceeded with in the said plot.

Be that as it may, the subject-matter of the writ petition is in respect of construction of a boundary wall where there is a dispute between the petitioner and the adjacent plot owners being the respondent nos. 5 and 6. If there are disputes over the same, the civil court

would adjudicate on the issue and direct the police authorities to render appropriate assistance under the relevant provisions of law. Unnecessarily, the police authorities would not interfere in any civil dispute.

However, the police authorities would ensure that since the adjacent plot owners are at loggerheads, no breach of the peace and/or tranquility takes place as also no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 7674 of 2025 is disposed of.

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

Report so submitted be kept with the record. A copy of the report be handed over to the learned advocate for the petitioner.

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.)