

M/L 84
05.05.2025
Bpg.
ct.no.35

W.P.A.8769 of 2025

**Madan Gopal Nandi
Versus
The State of West Bengal & Ors.**

Ms. Susmita Saha Dutta
Mr. Angshuman Chakraborty
Mr. Subhasish Mukherjee
Mr. S.S. Saha.
...for the petitioner.

Mr. Suman Ghosh
Mr. Arka Mondal.
...for the State-respondents.

Mr. Amalendu Mondal
Mr. Gobinda Chandra Baidya.
...for the respondent no.8.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the police excess and also the partition attitude of the police authorities, as such, complains that the petitioner is unable to raise the construction at the property where plan has been sanctioned by the Kolkata Municipal Corporation. Petitioner claims that the property is his own and the mutation is in favour of the petitioner.

Learned advocate for the respondent no.8 submits that the same plot of land also belongs to the respondent no.8 and he was the person who purchased earlier and there is also mutation in favour

of the respondent no.8 with the Kolkata Municipal Corporation.

Petitioner is having a sanction plan. On the other hand, the respondent no.8 also claims to be owner.

Report by the State reflects that there is a land dispute already existing and earlier criminal cases relating to forgery of title deed of the property has been registered in which charge-sheet has been submitted also.

Be that as it may, the police authorities are directed not to interfere with the land-in-dispute until and unless there are issues relating to breach of the peace and tranquility and until and unless an appropriate civil court or the municipal authorities pass a direction upon the police authorities.

With the aforesaid observations, WPA 8769 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocates appearing for both the parties.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)