

D/L28
06.05.2025
Rohit
ct.no.35

WPA 8924 of 2025

**Bablu Das & Anr
Versus
The State of West Bengal & Ors.**

Mr. Pronojit Roy
Mr. Arindam Bit

...for the Petitioners

Mr. Suman Sengupta, Sr. Govt. Adv
Mr. Sambuddha Dutta
Mr. Sanatan Panja

... for the State

Mr. Indrajit Roy Chowdhury

...for the respondent No. 4

Affidavit-of-service filed in Court today be
taken on record.

Petitioner is aggrieved by the fact that the
private respondents are interfering at the time when
construction of the boundary wall is being built by
the petitioner.

On the other hand learned Advocate
appearing for the private respondent no. 4 submits
that the property is an undivided property and as
such the issue relating to the demarcation of the
property do not come at this stage. Consequently
petitioner has rightfully interfered at the stage when
boundary was being constructed.

Petitioner has additionally alleged that he is being threatened when he goes to his office by the private respondents and the boundary wall which was being constructed has also been demolished.

State has submitted a report. Report reflects that proceedings under Sections 126/135 of the BNSS has been drawn and the petitioner has also filed an application under Section 163(2) of the BNS. The police authority had conducted an enquiry and submitted a report before the Executive Magistrate. Be that as it may, primarily the issue of boundary wall is a dispute to be adjudicated by the Civil Court. Police authority would ensure that there is no breach of peace and/or tranquility and/or any untoward incident resulting from a civil dispute existing between the parties.

Having considered that there is a threat perception which is being faced by the petitioner I am of the view that in case any further incident takes place, police authorities would take steps in accordance with law.

With the aforesaid observations WPA No. 8924 of 2025 stands disposed of.

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.

(Tirthankar Ghosh, J.)