

D/L 31
06.05.2025
Bpg.
ct.no.35

W.P.A.8956 of 2025

**Mustafa Asgar
Versus
State of West Bengal & Ors.**

Mr. Abhisekh Banerjee
Mr. Subhajit Chattopadhyay.
...for the petitioner.

Mr. Jayanta Samanta
Ms. Paromita Malakar Dutta.
...for the State-respondents.

Mr. Palash Bapari.
...for the respondent no.6.

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

Petitioner complains that the private respondents have initiated several suits before the civil court which were dismissed. In spite of the same, they are trying to interfere and disturb the peaceful enjoyment of the property of the petitioner. To that effect, petitioner approached the local police authorities as he intends to raise a construction of boundary wall.

Learned advocate for the private respondent no.6 submits that the sanction plan of the petitioner has become invalid, as such, the respondent no.6 has raised objection.

So far as the issue relating to demarcation of property as well as raising construction, the same are absolutely domain of the municipality/panchayat authorities as well as that of the civil court. Police authorities are not empowered to interfere with the same.

Having considered that the petitioner and the private respondent no.6 are at loggerhead, the police authorities would oversee that there is no breach of the peace and/or tranquility and/or any untoward incident resulting from the strained relationship existing between the parties.

With the aforesaid observations, WPA 8956 of 2025 is disposed of.

There will be no order as to costs.

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.)