

D/L 114
20.05.2025
Bpg.
ct.no.35

W.P.A.10595 of 2025

**Rabin Kumar Ghosh & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Lakshminath Bhattacharya.
...for the petitioners.
Mr. Somnath Ganguli
Ms. Kalpita Paul.
...for the State-respondents.

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

Petitioners are aggrieved by the inaction of the police authorities as the private respondents are obstructing the pathway for entry at the residence of the petitioners. To that effect, petitioners claim that the learned Executive Magistrate has passed necessary orders.

Mr. Ganguli, learned advocate appearing for the State has submitted a report. Report reflects that the pathway which is claimed by the petitioners is situated on the land of the private respondents and there is no demarcation in respect of an identified pathway.

Since the issue of dispute is relating to a pathway, the petitioners would be at liberty to approach the concerned BL & LRO as it has been claimed that there has been demarcation made by the BL & LRO. If the BL & LRO on inspection or on the

records available is of the opinion that there is a pathway or there is no pathway which can be claimed by the petitioners, he would take a decision to that effect within a period of 45 days. In case such a decision is taken, the BL & LRO will direct the police authorities to take steps. The police authorities would thereafter implement the order in the mode and manner directed by the BL & LRO until and unless the same is altered by a civil court.

Police authorities would also ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting from the present strained relationship existing between the parties.

With the aforesaid observations, WPA 10595 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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.)