

Sl.No. 24.04.2025
226
Court
No. 35
G.S.Das

WPA 10762 of 2023

**With
CAN 1 of 2023**

Debasish Das Naskar & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Debabrata Sardar

... for the Petitioner(s)

Mr. Tarak Karan

... for the State-respondent(s)

The petitioners are aggrieved by the fact that they have been resisted by the private respondent(s) from raising their boundary wall. To that effect, they made a representation on or about 3rd April, 2023. The representation reflects accusations against the private respondent(s) that they are trying to grab the property of the petitioners in spite of the petitioners being in possession of the property.

As none appears on behalf of the State, Mr. Tarak Karan, learned advocate, who ordinarily appears on behalf of the State, is directed to appear on behalf of

the State. His appearance may be regularized by the concerned authorities.

The police authorities are not empowered to decide the boundary line and/or demarcation of the area, which is the absolute domain of the learned civil court.

However, since the earlier order reflects that no breach of the peace takes place at the time of construction of the boundary wall as also the fact that last of the representation was made on 3rd April, 2023, the police authorities are reminded that there should not be any breach of the peace and/or tranquility in case the petitioner equitably exercises his right in respect of the order passed in WP 14633(W) of 2003.

With the aforesaid observations, WPA 10762 of 2023 along with CAN 1 of 2023 is disposed of.

Pending application(s), is any, is

also disposed of.

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.)