

09.07.2025
Item No.3
Ct. No.35
dc.

W.P.A. 11098 of 2025

Prabhat Kumar Mondal
versus
The State of West Bengal & Ors.

Mr. Manas Kumar Das ... For the Petitioner.

Mr. Sudipta Panda,
Mr. Samrat Paul ... For the State.

Mr. Uday Sankar Chattopadhyay,
Ms. Rajashree Tah ... For the Respondent No.6.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner complains that he happens to be the owner of a property in respect of which he intends to construct boundary wall which is being resisted by the private respondents. The petitioner refers to the earlier order dated 03.12.2024 passed in WPA 24670 of 2024 and draws the attention of the Court to the fact that there is no order from the civil court restraining the petitioner or there is any dispute with any adjacent property owners.

Learned advocate appearing for the private respondent no.6 submits that the respondent no.6 is the owner of the adjacent land and there is dispute relating to the demarcation particularly with regard to the boundary line and as such, they have resisted the act of the petitioner.

In case there is a dispute relating to the boundary line and its demarcation, police authorities are not the appropriate forum who can adjudicate such dispute. Petitioner has to approach the appropriate authorities for necessary directions upon the police authorities.

State has submitted a report which reflects that earlier there were number of cases wherein charge-sheets have been submitted after investigation being carried out. As such, there is a long standing dispute existing between the petitioner and the private respondent.

Having regard to the genesis of such issue which relates to land, I am of the opinion that the same is absolutely a private dispute. Police authorities would continue their surveillance and ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the inimical relationship existing between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 11098 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)