

24.10.2025
Sl. No.3(DL)
Ct. No.42
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 13078 of 2025

Minati Rout

Versus

The State of West Bengal & Ors.

Md. Arif Ahmed,
Ms. Sudipta Bera

...for the Petitioner.

Mr. Shehnaz Tareq Mina,
Mr. Subrata Mukherjee

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks direction upon the respondent authorities to consider her representations dated 15th May, 2025 and 3rd June, 2025.
3. The petitioner contends that landed property measuring 23 decimals within Dag Nos.1548 and 1547, Khatian No.1782, J.L. No.143, Block-Khanakul-II, Mouza-Palaspai, District-Hooghly belonged to her deceased husband. The private respondents are trying trespass into the property of the petitioner and are constantly threatening the petitioner. The petitioner approached the local gram panchayat to arrange for a boundary wall in and around her property for peaceful enjoyment of the same. However, since no steps have

been taken, the petitioner is constrained to file the present writ petition.

4. Md. Arif Ahmed, learned Advocate for the petitioner submits that the petitioner is the absolute owner of the property-in-question. The private respondents having no right, title and interest over the property, are constantly threatening the petitioner. The petitioner approached the local gram panchayat for making arrangement for erecting a boundary wall for peaceful enjoyment of her property. Since no steps have been taken, he seeks that the matter be relegated to the Pradhan, Palaspai-I Gram Panchayat for consideration of the representations of the petitioner.
5. On the contrary, Mr. Shehnaz Tareq Mina, learned Advocate for the State submits that the dispute is civil in nature and as such the writ petition is not maintainable.
6. None appears on behalf of the private respondents, despite service.
7. It culls out from the pleadings in the writ petition that the petitioner squarely contends of obstruction being caused by the private respondents in construction of a boundary wall by the petitioner. Thus, the dispute is precisely civil in nature. Accordingly, the writ petition is not maintainable.
8. Hence, the writ petition being **WPA 13078 of 2025** stands dismissed.

9. However, it is left open to the petitioner to approach the jurisdictional civil court for appropriate relief.
10. Interim order, if any, stands vacated.
11. All connected applications, if any, stand disposed of.
12. There shall be no order as to costs.
13. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
14. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)