

11.03.2025

Court No. 35

Item No.121

Rakib

W.P.A. 14963 of 2024

**Abdulla Molla @ Abdulla Molya &
Anr.
VS
The State of West Bengal & Ors.**

Mr. Md. Mansoor Alam

... for the Petitioners.

Mr. Vimal Kr. Shahi, Ld. AGP.,

Mr. Rudranil De.

... for the State.

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

Petitioners are aggrieved by the fact that the
private respondents initially constructed a cement pillar
and thereafter installed the temporary shed over it,
thereby encroaching upon the property of the petitioners
and the police authorities being informed did not act on
the representation.

Learned advocate appearing for the State has
submitted a report which reflects that a physical enquiry
was conducted by the police authorities and it was made
known that there is a long standing land dispute which is
existing between the petitioners and the private
respondents over a vested land.

Having considered that the police authorities are
not empowered to interfere in respect of right, title,
interest, possession and usage of any property, I am of
the view that if the petitioners approach the appropriate
authority or the Civil Court and there are directions upon

the police authorities then only the police authorities would interfere in the nature of dispute complained of.

In the meantime police authorities would ensure that over the dispute existing 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 14963 of 2024 is disposed of.

Report so submitted by the State be kept with the record.

Copy of the report be handed over to the learned advocate appearing for the petitioners.

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.)