

20.03.2025
Court No. 35
Item No.11
Rakib

W.P.A. 14036 of 2023

Dilip Kumar Hazra & Ors.
VS
State of West Bengal & Ors.

Mr. Subhasish Panchal.
... for the Petitioners.
Mr. Amal Kr.Sen, Ld. AGP,
Ms. Sahina Sumi.
... for the State.

Petitioners complain that there was a dispute relating to demarcation of land with the private respondent no.7, who was trying to encroach upon the property of the petitioners. Pursuant to interference of the administration surveyor was also engaged. However, inspite of the surveyor measuring the land, the adjacent land owner being the private respondent no.7 refused to accept and tried to encroach about 6 feet into the property of the petitioners for which dispute and differences arose.

Having regard to the nature of the issues which has been canvassed in the writ petition, I am of the view that until and unless an appropriate direction is passed by the learned Civil Court the police authorities would not be in a position to extend their assistance. Petitioners, if so advised would approach the Jurisdictional Civil Court for appropriate orders including the orders upon the police authorities. If such an order is passed upon the police authorities, police authorities would respect, obey and implement the order.

In the meantime police authorities would ensure that 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 14036 of 2023 is disposed of.

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

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.)