

M/L 740
07.08.2025
ct.no.35
Kausik

W.P.A. 16668 of 2024

**Smt. Lalita Agarwal
Versus
The State of West Bengal & Ors.**

Mr. Deblina Lahiri
Mr. Debashis Sarkar
Mr. Mrinmoy Chatterjee

...for the Petitioner.

Mr. Debasis Kar

...for the private respondent nos. 6 and 7.

Mr. Sudipta Panda
Ms. Ananya Neogi

...for the State.

Petitioner is aggrieved by the fact as the information which was furnished with the Superior Officers of Police against the police personnel of Basudevpur Police Station for their over action and assistance rendered to the private respondents, did not yield any result.

State has submitted a report. Report reflects that Title Suit No. 355 of 2023 was filed before the learned Civil Judge (Junior Division), 1st Court, Barrackpore wherein an ad interim order of injunction was passed. According to the State, application was preferred before the BL & LRO as well as the Pradhan for demarcation of the property.

Learned advocate for the private respondent submits that the boundary wall was constructed pursuant to directions of the civil court.

Learned advocate for the petitioner rebutted such contention and submits that there was no specific direction of the civil court. However, it was illegally with the aid and assistance of the police authorities such boundary wall was raised.

Be that as it may, since the dispute is between the petitioner and the private respondents over the boundary wall concerned, if there has been any encroachment of the property so far as the present petitioner who has approached this Court, I am of the view the petitioner would approach with relevant prayers before the civil court wherein the suit is pending. So far as the demarcation relating to the property is concerned there was earlier a prayer of the police authorities itself before the BL & LRO for demarcation. Consequently, if a different opinion is arrived at by the Officer of the Land Department, petitioner will ventilate such grievance before the civil court.

Police authorities would only ensure that there is no violation so far as law and order is concerned.

With the aforesaid observations WPA 16668 of 2024 is disposed of.

Report submitted be kept with the record. Copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)