

20.08.2025
Court No. 35
D/L. No.38
Rakib

W.P.A. 17076 of 2024

**Kalyan Kumar Dutta & Ors.
VS
The State of West Bengal & Ors.**

Mr. Aditya Chakraborty
Ms. Chaitali Mukhopadhyay
...for the Petitioners.

Mr. Suman Ghosh
Mr. Siddhartha Ghosh
...for the State.

Mr. Suman Chatterjee
...for respondent no.4

Learned advocate appearing for the petitioners at the inception submits Death Certificate of one Debasish Dutta being the petitioner no.2 and contends that since Debasish Dutta do not have any legal heirs the application on behalf of petitioner no.2 is not pressed before this Court.

The main grievance of the petitioners is in respect of raising of boundary wall and the petitioners claim that pursuant to a preliminary and final decree passed by the learned Civil Judge (Senior Division) 1st Court, Sadar, Paschim Medinipur, the petitioners were raising their boundary wall which was resisted by the private respondents and to that effect information was sent to the police station but no steps were taken by the concerned police station.

Learned advocate appearing for the private respondent no.4 submits that the execution case was dismissed. There are no issues relating to demarcation of the property.

Learned advocate for the State submits that since the police station has been wrongly referred to no report could be obtained.

Considering the nature of the dispute, I am of the view that so far as the issues relating to boundary wall is concerned, if there has been amicably settlement regarding the boundary wall ordinarily no dispute should arise. However, as such the concerned police authorities would only interfere if there is violation of law and order.

With the aforesaid observations WPA 17076 of 2024 is disposed of.

Copy of the Death Certificate submitted by the learned advocate appearing for the petitioners 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.)