

1
18-12-2025
AKG
Ct. 15

WPA 21320 of 2024
Tripti Biswas Roy
Vs.
State of West Bengal & Ors.

Mr. Akashdeep Mukherjee,
Mr. Soumyadeep Nag,
Mr. Satyam Pandey
...for the Petitioner
Mr. Santanu Kumar Mitra,
Mr. Amartya Pal
...for the State
Mr. Dinendra Nath Chatterjee,
Mr. Prafulla Pal
...for Private Respondent

In effect, by filing this writ petition, the petitioner seeks to widen the road situated in front of his residence from a width of 6 feet to 8 feet.

It is the petitioner’s allegation that, due to encroachment—primarily by respondent no. 8—the road, which was originally 8 feet wide, has effectively been reduced to a width of 6 feet.

The petitioner further alleges that respondent no. 8 and other private respondents have raised unauthorised constructions without obtaining permission from the competent Panchayat Authority.

Aggrieved thereby, the petitioner had earlier approached this Court by filing WPA 21804 of 2023, which was disposed of by a co-ordinate Bench of this Court by an order dated March 4, 2024, directing the Panchayat Pradhan, Bagula-II Gram Panchayat, to consider the

petitioner's grievance in accordance with law.

In compliance with the said order, the Pradhan of the concerned Gram Panchayat, by an order dated June 19, 2024, observed that the entry point of the road is 6 feet wide. It was further noted that, at one point in time, the road had a width of 8 feet, but due to possession by the private respondents, the existing width of the road is now 6 feet. The deeds produced before the Pradhan indicated that the width of the road has been recorded as 6 feet only.

It was also recorded that all concerned parties consented before the Pradhan that the road need not be widened and should remain at its existing width of 6 feet. However, a tin-shed room constructed by respondent no. 8 was removed.

I have heard the parties. It appears from the documents produced before this Court that the private respondents were in possession of their respective parcels of land even prior to the petitioner's purchase of his land in the year 2020.

Learned counsel appearing on behalf of the private respondents submits that they have been in possession since 1998. In support of such contention, the relevant deed has been produced before this Court. It further appears from the said deed that the width of the road has been

shown as 6 feet.

In view of the aforesaid, I am inclined to uphold the order dated June 19, 2024, passed by the concerned Pradhan. The petitioner cannot invoke the writ jurisdiction of this Court when the dispute between the parties is purely civil in nature. Accordingly, there is no justification for this Court to interfere with the order passed by the Pradhan, Bagula-II Gram Panchayat, in the facts and circumstances of the case.

Let a copy of the deed produced by respondent no. 8 be retained on record.

Accordingly, **WPA 21320 of 2024** stands dismissed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)