

27.03.2025
Court No. 35
Item No.42
Rakib

W.P.A. 23685 of 2024

**Uttam Halder & Anr.
VS
The State of West Bengal & Ors.**

Mr. Manoranjan Jana,
Ms. Mitali Jana.
... for the Petitioners.
Mr. Sk Rejaul Alam.
...for respondent no.6.
Mr. Pankaj Halder.
...for respondent no.9.
Mr. Rabindra Nath Bag, Sr. Adv.,
Mr. Sk. Md. Wasim Akram.
...for the State.

Petitioners and the respondent no.9 both claim to be owner of the land.

However, the respondent no.9 claims that he is constructing a mud house with thatched roof.

Learned advocate for the respondent no.6/the Pradhan submits that no permission is required for raising a mud house.

On the other hand learned advocate for the petitioners disputes the contents and submits that the construction is raised with brick and cement.

So far as the issue relating to construction of mud house or permission of Panchayat this Court will not interfere with the same. If there are disputes the said disputes are to be adjudicated by the Civil Court.

However, since the representation was made before the Superintendent of Police, Officer-in-Charge

Raidighi Police Station would ensure that no breach of the peace and/or tranquility takes place and or any untoward incidents results because of the strained relationship existing between the parties.

With the aforesaid observations WPA 23685 of 2024 is disposed of.

Since the State and the private respondents have not been called for filing any affidavit the allegations against the respondents are deemed not to have been admitted.

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.)