

24.03.2025
Item No.6
Ct. No.01
RP/SM

FMA 92 of 2025
with
CAN/1/2024

Shyamal Kumar Sett
Vs.
The State of West Bengal and Ors.

Mr. Nilanjan Adhikari, Adv.

....For the Appellant

Mr. Kushal Chatterjee, Adv.

Mr. Subhasish Mitra, Adv.

Mr. Shibjit Mitra, Adv.

....For the Private Respondents

1. This intra-court appeal by the writ petitioner is directed against the order dated 21st November, 2024 passed in WPA No.16330 of 2023. The writ petition was filed by the appellant seeking for adequate police protection so as to enable him and the co-sharer of the property to enter into the property and construct of a boundary wall. As rightly observed by the learned Single Bench that the matter is purely civil in nature and the question of issuing a direction to the police authorities to give protection to put up a boundary wall cannot be issued in the absence of any adjudication of the rights of the parties by a civil court.
2. Thus we find no ground to interfere with the impugned order and the appeal along with the application is accordingly dismissed.

[T.S. SIVAGNANAM]
CHIEF JUSTICE

[CHAITALI CHATTERJEE (DAS), J.]