

24.03.2025
Item No.7
gd/ssd

FMA/104/2025
RAMA KONAR AND ANR.
VS
STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2025

Mr. Asoke Kumar Banerjee, ld. Sr. Adv.
Mr. Mrinal Kanti Sardar
..for the Appellants.

Mr. Nilotpall Chatterjee,
Mr. Debopriya Chatterjee
..for the State.

Mr. Abhinaba Dan
..for the Private Respondents.

1. This intra court appeal by the writ petitioners is directed against the order dated 14th November, 2024 in WPA 25276 of 2022.

2. The petitioners sought for police assistance/police protection to enable them to put up a boundary wall around the property which they have stated to have been purchased by a registered deed of conveyance.

3. The learned Single Bench, in our view, rightly held that the police is not vested with the power to decide on the issue of the boundary line of an immovable property.

4. The learned Government counsel submitted that already a case has been registered

under Section 107 of the Code of Criminal Procedure and the matter is pending.

5. However, if any criminal offence is alleged to have been committed by the private respondents, that will not prevent the appellant/writ petitioners from lodging a police complaint which can be enquired by the police and action be taken in accordance with law.

6. Except those observations, we find no grounds to interfere with the order passed by the learned Single Bench.

7. Accordingly, the appeal fails and the same is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)