

30.04.2025
Court No. 2
Item No. 109
AGM

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA 930 of 2025

Swapna Ghosh Banik
Versus
The State of West Bengal & Ors.

Mr. Subhasish Misra.
Mr. Satyajit Paul.

... For the petitioner.

Ms. Madhushri Dutta.
Mr. Bikash Singha.

.....for the private respondents.

Mr. Subir Kumar Saha. AGP
Mr. Kumar Shantanu.

... For the State.

1. Affidavit-of-service filed today in Court be kept with the records.

2. Leave granted to the learned advocate for the private respondents to file vakalatnama in the department in course of the day.

3. The petitioner alleges that the private respondents have constructed a boundary wall by encroaching upon the land of the petitioner. The complaint filed before the Block Development Officer is allegedly pending consideration.

4. Learned advocate representing the private respondents denies the allegation of the petitioner.

5. Upon hearing the parties, it appears that the dispute in question is absolutely civil in nature. The issue of encroachment of private land cannot be decided by the State respondents.

6. It will be open for the petitioner to approach the competent civil forum for remedy, in accordance with law, if so advised.

7. Report of the Block Development Officer dated 29th April, 2025 is taken on record.

8. The writ petition stands disposed of.

9. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)