

06.05.2026
ML- 60
AMR
Ct.No. 03

WPA 1974 of 2025
Rabi Nandan Sahoo
-vs.-
The State of West Bengal Ors.

Mr. Akash Dutta
Ms. Disha Roy

...for the Petitioner

Mr. Nilanjan Adhikari
Ms. Oindrila Sinha

....for the Respondent nos. 2 & 3 – Contai
Municipality

1. Affidavit of service filed in Court is taken on record.
2. The present writ petition has been filed, inter alia, praying for a direction upon the respondents to demolish the bath room of the respondent no. 4, which has encroached upon the petitioner's property.
3. According to the petitioner, a surveyor has been appointed by the municipality and it was ascertained that the bath room constructed by the respondent no. 4 had encroached upon the petitioner's property.
4. According to the petitioner, the private respondent cannot be permitted to encroach upon the petitioner's property and carry out any construction. Though several representations have been made, the municipality has not taken any steps.

5. Hence this writ petition.

6. Having heard the learned advocates appearing for the respective parties, I find that the matter pertains to a boundary dispute.

7. Although a surveyor report has been prepared, it is not the case of the petitioner that the above surveyor report has been accepted by the private respondent.

8. Having regard to the above, I am of the view that there is no scope for this Court to enter into the disputed question of fact relating to title or to direct the municipality to decide the same.

9. Accordingly, this Court, without entering into the private dispute, dismisses the writ petition leaving it open to the writ petitioner to take recourse in accordance with law.

10. With the above observations, the writ petition is **dismissed**.

11. Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of requisite formalities.

(Raja Basu Chowdhury, J.)