

17
rkd 30.03.2026
Ct.05

W.P.A. 6182 of 2026

Smt. Supriya Samanta & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Raj Kumar Sain

....for the petitioners.

Mr. Lakshminath Bhattacharyya

....for the respondent no.4.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners submits that private respondents unauthorizedly erected bamboo fencing over the land in question which is unpartitioned land and prayer is made in this writ petition thereby directing the police authorities to remove the bamboo fencing which would facilitate petitioners' access to the said land in question.
3. Learned advocate representing the State respondents submits that the dispute between the petitioners and the private respondents is civil in nature.
4. Learned advocate representing the private respondents submits that the land in question is unpartitioned. It is further submitted that petitioners and private respondents are co-owners having right to access to the said land in question.
5. Taking note of the respective submissions made on

behalf of the parties it transpires that petitioners pray for a direction to remove bamboo fencing allegedly erected by private respondents, upon the police authorities.

6. However, police authority is not an appropriate authority to determine the respective rights of the parties to this writ petition over the land in question especially when the land is unpartitioned and petitioner and private respondents are co-owners in respect of the said land.
7. If petitioners have grievance relating to erection of bamboo fencing over the land in question they are at liberty to approach the civil court for relief.
8. The writ petition stands disposed of.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)