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15.06.2026
Ct. No.15
b.das

WPA 12349 of 2026

Tasmina Begum
Vs.
The State of W.B. & Ors.

Mr. Subhasish Mitra
Mr. Shibjit Mitra ...for the petitioner.

Mr. Maidul Islam Kayal
Mr. Archisman Singh
Mr. Nur ul Amin Sardar
Mr. Mohinur Mollick ...for the private respondent.

Mr. Madhu Jana
Ms. Puja Sonkar ...for the State.

Affidavit of service filed by the petitioner is taken on record.

Learned counsel for the petitioner submits that the petitioner is the absolute owner of Dag No.169 in Mouja Paschim Mallickpur and Dag No.168 is a passage which is used by the petitioner for her egress and ingress.

The petitioner alleges that the private respondent has raised a boundary wall in the said passage, thereby obstructing her egress and ingress. The land of the petitioner is locked on all sides and the petitioner is unable to access the PWD road from her house.

The petitioner seeks necessary direction in terms of Rule 21 of the West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004.

Opposing the said allegation, learned counsel for the private respondent submits that a partition suit is pending

between the parties in respect of Dag No.169, which is owned by the private respondent.

It appears that title in respect of the Dag No.169 is in dispute. The building plan produced by the petitioner also does not indicate any passage/approach road from the public road to the house of the petitioner. The issue involves disputed questions of fact which need to be dealt with by adducing evidence and cannot be decided in the writ petition.

In view of the above, the petitioner is at liberty to approach the appropriate forum for redressal of her grievance.

The writ petition is disposed of accordingly.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)