

05.02.2026
rc/ct.no.05
Item No.15

WPA No. 12657 of 2025
Khademul Islam
Versus
The State of West Bengal & Ors.

Sk. Abdus Salam
Mr. Mosiuddin Ahmed ..for the Petitioner

Mr. Swapan Banerjee
Mr. Raja Ram Banerjee ...for the State

Since Mr. Somnath Ganguly, learned advocate, who was appearing on behalf of the State earlier is no longer in the panel, Mr. Swapan Banerjee who usually appears on behalf of the State and is present in Court today, is requested to represent the State in this matter. The concerned authority is requested to regularise his appointment in this matter.

The petitioner is directed to serve a copy of this application along with annexure thereto upon Mr. Banerjee in course of this day.

Further report submitted by the State is taken on record. Copy of the report is made over to the learned counsel for the petitioner in Court.

The petitioner alleges that the private respondents who are the Headmaster, Secretary and Managing Committee of Daulatpur High School situated adjacent to the petitioner's land are trying to grab a portion of the property of the petitioner and have raised a boundary wall by encroaching upon the same.

Complaint lodged by the petitioner in this regard has not been acted upon.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner enquiry has been held and prosecution submitted under Section 126 of the BNSS. The report demonstrates that the school authority claims title over the disputed land.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the dispute between the parties is essentially civil in nature. The petitioner is at liberty to approach the appropriate forum for redressal of his grievance.

In the meantime, the police authority shall continue surveillance at the locale in order to avoid any untoward incident in view of the strained relationship between the parties and shall ensure maintenance of peace and tranquility.

The writ petition is disposed of.

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)

