

04-02-2026
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 Ct. 15

WPA 28270 of 2025
Sunil Pal
Vs.
The State of West Bengal & Ors.

Mr. Subhrajyoti Ghosh

...for the Petitioner

Mr. Sujoy Mondal,
Sk. Musior Rahaman

...for the State

The petitioner alleges that respondent no. 7 has constructed a building on Plot No. 6507, J.L. No. 98, Khatian No. 1163, Mouza-Jamkuri, Block-Patrasayer, District-Bankura.

The petitioner claims ownership over the said land and alleges that respondent no. 7, despite having no right, title, or interest therein, has raised an unauthorised construction. The writ petition, however, does not disclose the nature of the alleged construction. The averments are vague and merely state that the construction is unauthorised, without specifying in what manner the construction is alleged to be illegal.

The petitioner was asked to produce a photocopy of the alleged unauthorised construction, whereupon it was revealed that a one-storied building is already in existence and that respondent no. 7 is residing therein with his family members.

Further, it appears that the dispute between the parties is purely civil in nature, wherein the petitioner alleges

encroachment upon his land by the respondents. The petitioner cannot be permitted to impart a public law character to a dispute that is essentially civil in nature, particularly at such a belated stage. The writ court cannot be utilised as an alternative forum to secure indirectly what could not be obtained directly in a civil proceeding.

Accordingly, **WPA 28270 of 2025** stands dismissed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)