

Item No.87
13.02.2026
Court. No. 6
(gc)

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 2303 of 2024

Biswajit Ray @ Roy & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Kunaljit Bhattacharjee,
Ms. Anwesha Chakraborty,
Mr. Alok Sah

...for the Petitioners.

Mr. Hirak Barman,
Ms. Pratusha Dutta Chowdhury

...for the State.

1. The writ petition is dismissed as not maintainable.
At best the petitioner can claim a right of easement over the alleged 'Path' which otherwise is recorded in the name of three raiyats as per the instructions of the Block Land and Land Reforms Officer. The respondent Nos.6 to 9 claim ownership of the said 'Path' as their recorded land and rely on various documents.
2. The inspection report of the Block Land and Land Reforms Officer reveals that a shed has been constructed by the Mandals. At least 4 ft. space has been kept apart, for ingress and egress.
3. It also appears that the villagers had informed the concerned authority that the alleged 'Path' had

shifted from time to time. This is a dispute between the petitioner and the respondent Nos.6 to 9 and such dispute is over a private land.

4. Under such circumstances, the writ petition is not maintainable. The same is dismissed.
5. The petitioner is at liberty to take steps in accordance with law, before a civil court. These observation on facts are, prima facie.
6. However, there shall be no order as to costs.
7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)