

05-08-2021  
sl. no. 165  
tkm/ct. 8

**WPA 9351 of 2021**  
Biswarup Ghosh & Ors.  
Versus  
The State of West Bengal & Ors.  
(Through Video Conference)

Mr. Bhudeb Chatterjee  
Mr. D J Chakraborty  
Mr. Goutam Bhakat

... for the petitioner

Mr. Manoj Malhotra  
Mr. Sudip Sarkar

... for the State

Petitioners complain of police inaction.

State is represented.

It appears from the record that by an order dated February 19, 2020 passed in an earlier writ petition, the petitioners were allowed to erect the boundary wall. The petitioners were also allowed to remove materials on the land in question. The private respondent obtained an ex parte ad interim order of injunction in a civil suit. That order of injunction was subsequently vacated. The petitioners applied for police assistance and paid for the police cost. According to the petitioners, police assistance were not rendered despite the payment of cost and despite the order of the High Court.

Learned advocate for the State submits that, police are ready and willing to extend all co-operation.

Learned advocate for the petitioners submits that the petitioners at present are not in a position to erect the boundary wall in view of the incessant rain.

Learned advocate for the State makes over a copy of the letter dated August 5, 2021 of the petitioner. By such letter the petitioner informed the police that advance notice of 24 hours would be given to the police prior to the petitioners starting the construction.

In view of the stand taken by the respective parties as noted above, further interference by a writ court is not called for. No doubt, the police will extend the assistance as requested by the petitioners.

WPA 9351 of 2021 is disposed of without any order as costs.

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

**(DEBANGSU BASAK, J.)**