

02.07.2021.
Item no. 86.
Court No.13
ap

**W.P.A. No. 10906 of 2021
(Through Video Conference)**

**Nityananda Ray
Versus
The State of West Bengal & Ors.**

Mr. Subhabrata Das,
Mr. Aranya Saha.

...For the petitioner.

The writ petitioner complains that the private respondents are effecting construction on the pathway that obstructs his free ingress and egress out of his property.

The petitioner has filed an application under Section 144 of the Code of Criminal Procedure in which the learned Executive Magistrate, Bongaon, North 24 Parganas has directed the local police to ensure that there should be no blockage to the petitioner's passage, in the event construction is being carried out on the pathway.

Police are stated to have inspected the premises but no report has been filed.

Officer-in-charge, Gopalnagar Police Station shall submit a suitable report to the learned Executive Magistrate, Bongaon, North 24 Parganas as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

The learned Executive Magistrate, Bongaon, North 24 Parganas shall prepone the date of hearing of the proceeding under Section 144 of the Code of Criminal Procedure and pass suitable orders immediately thereafter.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(*Rajasekhar Mantha, J.*)