

05.01.2021

BP
Sl. 22

WPA 11165 of 2020

(Via Video Conference)

Sribash Chandra Das

Vs.

The State of West Bengal & Ors.

Mr. Ujjal Ray

..for the petitioner.

Mr. Lalit Mohan Mahata

Mr. Kapil Guha

..for the State.

Affidavit of service filed in court today be kept with the record.

It has been submitted by Mr. Ujjal Ray, learned advocate appearing for the petitioner that the private respondent no. 7 has been duly served. It appears from the track record that the envelope forwarded to the private respondent no.8 came back with the postal remark "door locked".

The petitioner complains of police in action. The petitioner alleges that the private respondent nos. 7 and 8 are creating obstruction in the matter of construction of the boundary wall by the petitioner. A complaint has been made by the petitioner to the Officer-in-Charge, Chandannagar Police Station on December 5, 2020. The grievance of the petitioner is

that in spite of the receipt of the said complaint, the police authority is not taking any action.

Mr. Lalit Mohan Mahata, learned advocate appearing for the State submits that on the basis of the complaint made by the petitioner the proceeding under Section 107 of the Code of Criminal Procedure was initiated against the private respondents herein for maintaining peace and tranquility in the locality.

Since it appears from the documents submitted by the State that the police authorities have taken action on the basis of the complaint of the petitioner, the allegation of the petitioner that the police authorities have not been taken any action is without any basis.

A copy of the report filed by the State be kept with the record.

WPA 11165 of 2020 is, therefore, devoid of any merit and the same is dismissed without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be given on priority basis.

(Hiranmay Bhattacharyya, J.)

