

02.08.2022
Sl. No.368(ML)
srm

W.P.A. No. 2749 of 2021
Rabindranath Prodhan & Ors.
Versus
The State of West Bengal & Ors.

Mr. Ziaul Islam,
Mr. Sandip Sarkar

...for the State-respondents.

None appears on behalf of the petitioners.

Petitioners pray for a direction upon the police authorities to restrain the respondent Nos.7 to 10 from constructing a house, which according to the petitioners, is illegal and unauthorised. A further prayer has been made for a direction upon the police authorities to demolish the illegal construction.

Learned Advocate for the police authorities submits that until any order for police assistance is either passed by the court or a request is made by the authority to assist in demolishing the alleged construction, the police has no role to play. He prays that this writ petition be dismissed.

There is nothing on record to show that the competent authority had arrived at a conclusion that the construction was illegal and had sought for police assistance in effecting demolition thereof.

As none appears on behalf of the petitioners, this writ petition is dismissed for default.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)