

15.09.2022  
Court No.13  
Item No.38  
pk

**WPA 4521 of 2022**

Shahbag Hussen  
Vs.  
The State of West Bengal and others

Mr. Goutam Dey,  
Mr. Dipendu Sarkar,  
Ms. Ankita Ghosh

...for the petitioner.

Mr. Fazlul Haque,  
Mr. Badal Saha

... for the respondent no. 6.

The writ petitioner complains that the private respondent has illegally effected construction of a wall that belongs to him. A proceeding was taken out under Section 144 (2) of the Cr. P. C. and the police had been directed to submit a report. No report has been submitted.

While it is true that the O. C., Thakurpukur Police Station should have complied with the directions of the learned Magistrate under Section 144(2) of the Cr. P. C., the proceeding itself has become infructuous since the application under Section 144 was made in the year 2021.

The dispute between the parties is purely civil in nature. The petitioner may avail appropriate civil remedies.

The Deputy Commissioner of Police, South Division, Kolkata shall however consider as to why the Thakurpukur Police Station has not responded to the

directions of the Magistrate, as communicated by the petitioner on 04.01.2022.

The writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**