

26-09-2022
ct no. 13
Sl.44
sp

WPA 14639 of 2021

With

CAN 1 of 2022

Munnaf Ali Sk.

-Versus-

The State of West Bengal & Ors.
(Via Video Conference)

Mr. B.K. Banerjee.

Ms. Priyanka Jana

...for the petitioner

Ms. Chaitali Bhattacharya,

Mr. Mrinal Kanti Ghosh

.... for the State

CAN 1 of 2022

Sufficient grounds are available in explaining the absence of the writ petitioner and/or his advocate on August 16, 2022.

The order dated August 16, 2022 is recalled. Hence, the writ petition is restored to its original file and number.

Accordingly, CAN 1 of 2022 is allowed and disposed of.

WPA No. 14639 of 2021

The Petitioner is aggrieved that the private respondents are disturbing peaceful possession and enjoyment of his property. The private respondents are obstructing construction of a boundary wall. It is also submitted that a civil suit

filed by the private respondents has been dismissed and the petitioner's name has been recorded in the record of rights.

The remedy of the petitioner against the private respondents is to seek appropriate civil injunction from a Civil Court. The police cannot enter into the private dispute.

The Officer-in-Charge, Magrahat Police Station, South 24 Parganas shall, however, ensure that there is absolutely no breach of peace in the area.

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

There shall 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.)