

18-11-2022
ct no. 13
Sl.40
sp

WPA 14719 of 2022

With

CAN 1 of 2022

Banamali Dakua

-Versus-

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

**Mr. Gouranga Kr. Das,
Ms. Swati Mondal**

...for the petitioner

**Ms. Chama Mookherji,
Mr. Gourav Das**

...for the State

CAN 1 of 2022

Sufficient grounds are available in explaining the absence of the writ petitioners and/or his advocate on August 18, 2022.

The order dated August 18, 2022 is recalled. The writ petition is restored to its original file and number.

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

WPA No. 14719 of 2022

The petitioner is aggrieved that the private respondents are disturbing peaceful possession of the property where he is residing. The property stands in the joint name. The Executive

Magistrate, Kakdwip has ordered that the petitioner's possessory right must be protected.

The Kakdwip Police Station has submitted instructions dated August 2, 2022, addressed to the learned State Advocate.

It appears from the said instructions that an FIR being Kakdwip Police Station Case No. 147 of 2022 dated May 5, 2022 has been registered against the private respondents. The investigation into the FIR must be completed mandatorily and positively within a period of two months from date.

The Kakdwip Police Station shall ensure that there is absolutely no breach of peace in the area and that the petitioner's possession is not disturbed by the private respondents.

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

The instructions of the Kakdwip Police Station dated August 2, 2022, addressed to the learned State Advocate, is taken on record.

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.)