

25.08.2022
Sl. No.190(ML)
srm

W.P.A. No. 15246 of 2022

Sabita Rana

Versus

The State of West Bengal & Ors.

Mr. Kallol Kumar Basu,
Md. Jannat ul Firdous,
Ms. Tithi Mazumder

...for the Petitioner.

Mr. Sk. Md. Galib,
Mr. Gourav Das

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the respondent Nos.6, 7 and 8.

On the complaint filed by the petitioner with regard to the alleged construction of a metal road by the respondent Nos.6 to 8, the police authorities have taken steps. An enquiry was held. Prosecution under Section 107 of the Code of Criminal Procedure was submitted twice, against the respondent Nos.6 and 7. The Sub-Divisional Police Officer, Minakhan, also directed an enquiry into the matter and on such enquiry and upon apprehending serious breach of peace in the locality over the issue, prosecution under Section 107 of the Code of Criminal Procedure was submitted. The petitioner has already approached the learned Executive Magistrate at Basairhat, North 24-Parganas under Section

144(2) of the Code of Criminal Procedure. The police authorities have complied with the direction of the said court by serving notices upon both the parties, asking them to maintain peace and tranquillity. An enquiry was conducted and report has been filed in M.P. Case No.432 of 2022. The proceedings are now before the learned Magistrate.

It appears that the police authorities have also asked the Block Land and Land Reforms Officer, Minakhan Block for necessary information regarding the land. The reply is awaited.

As the matter is still pending before the learned Magistrate on the selfsame issue and the police authorities have so far taken steps in accordance with law, the writ petition is disposed without further orders.

The police authorities shall, however, maintain peace. All questions raised in the writ petition shall be available to the petitioner before the appropriate forum, at the appropriate stage.

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.)