

25.08.2022
Sl. No.198(ML)
srm

W.P.A. No. 15335 of 2022

Sunil Sahana & Ors.

Versus

The State of West Bengal & Ors.

Ms. Mousumi Bhowal

...for the Petitioners.

Mr. Ranajit Rajak

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the respondent No.7.

The police report indicates that the Officer-in-Charge, Chandrakona Police Station and the Inspector-in-Charge of Ramjibanpur TOP, went to the village and removed the obstruction, that is, bamboo fencing from the disputed pathway in the presence of the Block Development Officer, Chandrakona-I Block. A certificate has also been issued by the said Block Development Officer. Photographs of the pathway have also been filed before the Court. The police authorities have submitted a prosecution under Section 107 of the Code of Criminal Procedure against the respondent No.7, who had allegedly abused the petitioners and had threatened the petitioners with dire consequences.

With regard to the subsequent complaint of the petitioners against the respondent No.7 and other persons, another prosecution under Section 107 of the Code of Criminal Procedure was also submitted against the said persons.

Under such circumstances, the police will maintain peace and keep a vigil to ensure that no untoward incident takes place.

The writ petition is, thus, disposed of.

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.)