

03.11.2022.
Court No.13
Item No. 68
ap

W.P.A. No. 18037 of 2022

**Smt. Basana Dutta
Versus
The State of West Bengal & Ors.**

Mr. Bharat Chandra Simai.

..For the petitioner.

Mr. Ashim Kumar Ganguly,

Mr. Joydip Banerjee.

...For the State.

Affidavit-of-service filed in Court today be taken on record.

The petitioner claims that the private respondents are obstructing and preventing her from cleaning up her dilapidated house, where a lot of garbage has accumulated. There are snakes roaming as a result of such garbage. A portion of a tree on the petitioner's premises is also encroaching on the private respondents.

There are cases and counter cases which have resulted in FIRs registered by Daspur Police Station being Police Station case No. 219 of 2022 dated 6th June, 2022 and Police Station Case No. 355 of 2022 dated 18th August, 2022.

Investigation of the FIRs shall be completed expeditiously. Any other disputes with regard to enjoyment of land may be agitated before a Civil Court. Daspur Police Station shall, however, ensure that there is absolutely no breach of peace in the area.

The petitioner shall remove all garbage from her residence and ensure that there are no health or hygiene issues in the area. The Officer-in-charge, Daspur Police Station shall ensure that the petitioner does so.

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

Instructions of the Officer-in-charge, Daspur Police Station dated 30th August, 2022 addressed to the Public Prosecutor, High Court, Calcutta be taken on record.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)