

11.03.2022
Court No.13
Item No.27
sp

WPA 21483 of 2021

**Smt. Anima Pal
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Lalratan Mondal,
Mr. Basudeb Patra

... For the Petitioner.

Sk. Mujibar Rahaman,
Mr. Subhendu Banerjee

... For the State.

Mr. Manoj Malhotra,
Mr. Ravi Kumar Dubey

...for the respondent no.4

Affidavit of service filed in Court today is taken on record.

The writ petitioner complains that the private respondent has set up a hotel in front of his house on public land which is obstructing free egress and ingress and also light and air into his premises. The private respondent is also stated to be throwing rubbish into the petitioner's premises. The petitioner has lodged a complaint with the Manicktala Police Station but in vain.

Having heard the rival submissions of the parties, this Court is of the view that the dispute is purely civil in nature and the police have absolutely no role to play in the matter. However, the Officer-in-Charge, Manicktala Police Station shall ensure that

there is no breach of peace in the area and shall keep a vigil thereat.

Since the respondents have not used any affidavits, the allegations made in the writ petition shall not be deemed to have been admitted by them.

With the aforesaid observations, the 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.)