

D/L 30
February 3,
2022
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C.R.R. No.3468 of 2019
(Via Video Conference)

In Re: An application under Section 401/482 of the Code of Criminal Procedure;

Sri Asit Barman & Ors.
Versus
Smt. Sudha Rani Majumdar & Anr.

Mr. Md. Anwar Hossain,
Ms. Srayashee Biswas.
...for the State.

Report submitted by Mr. Anwar Hossain, learned advocate for the State, be kept with the record.

The report so submitted by the concerned officer of Contai Police Station, Purba Medinipur, reflects that there has been an encroachment in the common pathway. The dispute, according to the officer, is civil in nature.

Having regard to the nature of the dispute, I am of the opinion that the officer concerned will lodge a complaint with the Municipal Authorities who would assess whether there has been any encroachment in the common pathway according to the records available with the Municipality. The Municipal Authorities thereafter would submit a report before the Executive Magistrate and the Executive Magistrate would be at liberty to pass any order including an order of demolition, if the same has been done in violation of the law (Municipal Laws).

With the aforesaid observations, CRR 3468 of 2019 is disposed of.

Interim order, if any, is hereby vacated.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)