

09.06.2023
Court No.13
Item No.22
pk

**WPA 1341 of 2022
(CAN 1 of 2022)**

**Mintu Das
Vs.
State of West Bengal and Ors.**

Mrs. Jayita Dhar Chakraborty,
Ms. Somoshree Saha
... for the petitioner.

Mr. Amitesh Banerjee,
Mr. Ashim Kumar Ganguly,
Mrs. Ipsita Banerjee,
Mr. Bellal Sk.
... for the State.

Re: CAN 1 of 2022 (Restoration)

1. Sufficient grounds are available to explain the absence of the petitioner and/or his Counsel on 13.07.2022.
2. The said order is recalled and the writ petition is restored to its original file and number.
3. Accordingly, CAN 1 of 2022 is disposed of.
4. There will be, however, no order as to costs.

Re: W.P.A No. 1341 of 2022

1. The writ petitioner is a leaseholder for mining sand. It is submitted that certain miscreants are obstructing the public pathway and the Executive Magistrate has ordered under ordered removal of obstruction.
2. Counsel for the State, on instructions of Balurghat Police Station, Dakshin Dinajpur, submits that obstruction is no longer there.

3. Balurghat Police Station shall, however, ensure that the public pathway through which the petitioner carries lawfully mined sand is not in any way obstructed by anybody.
4. Balurghat Police Station shall also ensure that there is no breach of peace in the area.
5. The writ petition is disposed of.
6. There will be no order as to costs.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)