

24.04.2023

WPA 3630 of 2023

Mitali Nandy & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Syed Mansur Ali

... .. for the petitioners

Ms. Chaitali Bhattacharya

Mr. Mrinal Kanti Biswas

... .. for the State

1. Affidavit of service filed in Court is taken on record.
2. Despite service of notice, private respondents are not represented.
3. The petitioner complains that the private respondents have restrained and demolished the construction of a boundary wall on a 6' wide common passage. The construction of the boundary wall has been approved by the Howrah Municipal Corporation.
4. In the above circumstances, this Court directs the Jagacha Police Station to post a police picket at the petitioners' residence for a period of 15 days at the petitioners' costs. The costs of posting of police picket shall be communicated to the petitioners. Police picket shall be deployed after payment of costs, as indicated hereinabove.
5. The petitioners shall be able to construct the boundary wall under the police picket and the private respondents shall not interfere with the same.

6. In the event any dispute with regard to the boundary wall, the private respondents may approach the appropriate Civil Court. The police and the petitioners shall abide by any order that may be passed by the Civil Court.
7. The writ petition stands disposed of.

(Rajasekhar Mantha, J.)