

16-05-2023
ct no. 13
Sl. 19
pk

WPA 11246 of 2023

Jagadish Chandra Mondal

-Versus-

The State of West Bengal & Ors.

Mr. Avirup Chatterjee,
Mr. S. Roy

... for the petitioner

Mr. Nilotpal Chatterjee,
Mr. Amrita Lal Chatterjee

... for the State.

1. Affidavit of service filed in Court is taken on record.
2. The petitioner complains that the private respondents have restrained him from constructing a boundary wall.
3. According to the petitioner, the private respondents want to use boundary wall for egress and ingress to the property.
4. Counsel for the State submits that they had called both the parties at the Police Station. Service of the private respondents is returned with the expression “addressee not known”.
5. In the above circumstances, the petitioner may construct a boundary wall on his premises after a period of thirty days from date.

6. If the private respondents wish to assert any right against the petitioner, they may move an appropriate Civil Court in that regard.

7. The petitioner as well as the Police shall serve notice of this order on the private respondents.

8. In the event the petitioner requires any police picket after thirty days, as indicated herein above, the Mandir Bazar Police Station may provide the same in accordance with law upon payment of necessary costs by the petitioner.

9. The writ petition is thus disposed of.

10. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)