

D/L
Item No. 24
08.08.2024
KOLE

**WPA 6484 of 2020
With
IA NO. CAN 1 of 2020 (Old No. 5156 of 2020)**

**Jinnat Ali
-Vs.-
The State of West Bengal & Ors.**

Mrs. Priyanka Jana,

...for the writ petitioner.

*Mr. Bibek Jyoti Basu,
Ms. S. Saha,*

...for the State.

1. Learned Advocate for the writ petitioner submits that the petitioner is in possession of the subject matter of a property and is being disturbed at the instance of the private respondents to which proceedings under Section 144(2) of the Code of Criminal Procedure was initiated.
2. Records reflect that such proceedings were initiated in the year 2019. The prescribed period under the statute in respect of proceedings under Section 144(2) of the Code of Criminal Procedure is for a period of 60 days.
3. Further if there has been any violation of the order of the Executive Magistrate, there are provisions under Sections 188 of the Indian Penal Code to be resorted to. More than 4/5 years have expired in the meantime. The present scenario in all probability has either remained same or changed. There are no fresh complaints before this Court which would invite the Police Authorities or the State Authorities to take any

steps. In fact, the writ petition has become infructuous.

4. However, since an anxiety has been expressed by the learned Advocate for the petitioner in case the petitioner approaches the Authorities for any breach of the peace or tranquility, the Police Authorities would act in accordance with law.
5. With the aforesaid observation, WPA No. 6484 of 2020 is, thus, disposed of.
6. Pending application, if any, is consequently disposed of.
7. There shall be no order as to costs.
8. All parties shall act upon the server copy of this order duly downloaded from the website of this Court.

(Tirthankar Ghosh, J.)