

D/L.43.
September 26, 2024.
MNS.

WPA No. 21875 of 2024

Ohab Molla @ Abdul Ohab Molla
and another
Vs.
The Officer-in-Charge, Basanti Police
Station and others

Mr. Sk. Anwar Ali

... for the petitioners.

Mr. Suman Sengupta,
Ms. Sabnam De Bardhan

...for the State.

The learned Advocate for the petitioners
prays for an accommodation since the notice has
not been served upon all the respondents.

In view of the order sought and proposed
to be passed, this Court feels that there is no
necessity to direct issuance of notice upon all the
respondents.

Affidavit-of-service filed in Court is taken
on record.

Mr. Sengupta, learned Advocate, who
usually appears for the State is present in Court
today and is requested to appear in this matter.
Let the appointment of Mr. Sengupta along with a
junior of his choice be regularized by the Legal
Remembrancer.

The learned Advocate appearing for the petitioners is directed to serve a copy of the writ petition upon Mr. Sengupta in course of this day.

The learned Advocate appearing for the petitioners submits that since the private respondents were obstructing the petitioners in the matter of cultivation of the land-in-question, the petitioners approached the Executive Magistrate, Canning, by filing an application under Section 163(2) of BNSS. The learned Executive Magistrate passed an order on July 25, 2024 directing the Officer-in-Charge of Basanti Police Station to see that no breach of peace takes place in the locality. The petitioners thereafter lodged a complaint before the Inspector-in-Charge, Basanti Police Station by a letter dated August 9, 2024 alleging that the private respondents are creating disturbances in the cultivation on the plot-in-question by the petitioners.

Since a complaint has been lodged, the Inspector-in-Charge of Basanti Police Station is directed to consider such representation and after hearing the petitioners and the private respondents take action in accordance with law.

With the aforesaid observations and directions, the writ petition stands disposed of.

There will be no order as to costs.

Photostat certified copy of this order, if
applied for, be given to the parties.

(Hiranmay Bhattacharyya, J.)