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18.11.2024
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ct.no.35

W.P.A.23932 of 2024

**Sri Sayantan Pal
Versus
The State of West Bengal & Ors.**

Mr. Soumitra Deb
Sk. Md. Wasim Akram.
...for the petitioner.

Mr. Sabnam De Bardhan
Ms. Subhra Nag.
...for the State-respondents.

Mr. Soumik Dey
Mr. Kazi A. Ali
Mr. Mazooq Rahman.
...for the private respondents.

Affidavit of service filed by the petitioner be kept with the record.

Petitioner has preferred the present writ petition being aggrieved by the act of the private respondents. Petitioner alleges that his drain is being blocked at the behest of the private respondents for which he has been suffering as the garbage started accumulating. Representations were made to the police authorities but the police authorities have refused to take any action.

Learned advocate for the State has submitted a report. Report reflects that the dispute is between the petitioner and the private respondents and the police authorities have no issues concerning the same.

Learned advocate for the private respondents submits that the petitioner approached the learned Executive Magistrate, but the learned Executive Magistrate also did not entertain the application under Section 133 of the Code of Criminal Procedure.

Having regard to the issues canvassed by the petitioner, I grant liberty to the petitioner to approach the municipal authorities. The municipal authorities would assess regarding the correctness of the accusations of the present petitioner and accordingly they would take steps. So far as the police authorities are concerned, they have no issues to be bothered in respect of the issues canvassed.

With the aforesaid observations, WPA 23932 of 2024 is disposed of.

There will be no order as to costs.

Report so submitted by the learned advocate for the State be kept with the record.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)