

12.11.2024

Item No.06

Ct. No.35

Jayanta.

W.P.A. 24345 of 2024

**Tapasi Kole
versus
The State of West Bengal & Ors.**

Mr. M. S. Chattapadhyay

Mr. Gopal Mondal

... For the Petitioner.

Mr. R. Basu

Mr. Sanatan Panja ... For the State.

Mr. Sukanta Chakraborty

Mr. Anindya Halder

... For the Private Respondent.

Affidavit-of-service filed in Court today be kept with the record.

Petitioner is aggrieved by the fact that she being a lady of 68 years is being disturbed at the behest of the private respondents and some of the private respondents are not allowing her to repair the boundary wall and are trying to use the said broken part as a pathway for their regular use.

Petitioner further submits that the private respondents are threatening her which has jeopardised her peaceful life.

Report submitted by the State be kept with the record.

Police earlier initiated proceedings under Section 107/116 of the Code of Criminal Procedure. It has also been pointed out that by the learned advocate appearing for the private opposite party

that numbers of civil cases have been initiated and in none of the cases there has been specific direction relating to the boundary wall or any other disturbance being committed at the behest of the private respondents.

Be that as it may, so far as the issue relating to repairment of boundary wall is concerned the petitioner would approach the jurisdictional Civil Court for appropriate relief. However, petitioner being an aged lady, she is entitled to some protection. Accordingly, the Inspector-in-Charge Dankuni police Station will keep a strict vigil and ensure that there is no breach of peace and tranquillity and no untoward incidence should take place in relation to the disputes existing between the parties.

With the aforesaid observations being WPA 24345 of 2024, is disposed of.

Report submitted by the petitioner be kept on the record.

As the private respondents have not been called upon to file any affidavit. The allegations made against them are deemed to be denied.

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

(Tirthankar Ghosh, J.)