

D/L60
19.11.2024
Bpg.
ct.no.35

W.P.A.24457 of 2024

**Ananda Nandini Samanta
Versus
The State of West Bengal & Ors.**

Mr. Manjit Singh
Ms. Tiya Mukherjee
Mr. Sk. Sahid Hussain
Mr. Biswajit Mal
Mr. Soujanya Pattanayak.
...for the petitioner.

Mr. Jayanta Samanta
Mr. Kazi Sajjad Alam.
...for the State-respondents.

Mr. Uttiya Ray
Mr. Arnab Mandal.
...for the private respondent no.8.

Petitioner complains of noise pollution and the passage being blocked at the behest of the private respondent no.8.

Learned advocate appearing for the private respondent no.8 disputes the same and submits that it is in his own land where he has kept the materials and did not disturb the possession of the petitioner.

Be that as it may, a proceeding under Section 133 of the Code of Criminal Procedure is pending before the learned jurisdictional Executive Magistrate.

Report prepared by the Inspector-in-Charge, Burdwan Police Station reflects that the report has been submitted before the learned Sub-Divisional Executive Magistrate in connection with MP Case No.228 of 2023.

In view of the report being submitted, I am of the opinion that the learned Executive Magistrate would dispose of the application in accordance with law preferably within a period of six months from the date of communication of this order.

Learned advocate for the State is directed to hand over a copy of the report to the petitioner as well as the private respondent.

With the aforesaid observations, WPA 24457 of 2024 is disposed of.

Report so submitted be kept with the record.

There will be no order as to costs.

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.)