

D/L 104
06.11.2024
Kausik
ct.no.35

W.P.A. 24667 of 2024

**Sekh Musibul @ Sk Musibul
Versus
State of West Bengal and Ors.**

Mr. Saibal Acharyay
Mr. Shahan Shah
Mr. S. Barman
Mr. Sk. Abumusa
...for the petitioner.

Mr. Pradip Kumar Kundu
...for the respondent nos. 10 & 11.

Mr. Ashim Kr. Ganguly, AGP
Mr. Bellal Shaikh
...for the State.

Petitioner is aggrieved by the inaction of the police authorities in respect of their representation which was advanced before the Superintendent of Police Diamond Harbour, Inspector-in-Charge, Budge Budge PS and Inspector-in-Charge, Nodakhali Police Station on 22.11.2023.

Affidavit of service so filed be kept with the record.

Learned advocate appearing for the state has drawn the attention of the court that in respect of the same issue concerned, a contempt petition being CPAN 571 of 2022 which was filed in relation to WPA 3929 of 2022 was disposed of by a co-ordinate bench on 19.09.2024 by observing as follows :

“5. In view of the fact that the order of the Court dated March 14, 2022 in WPA No. 3929 of 2022 has been already complied with, there remains no further issue left in this contempt petition, to be adjudicated by the Court.”

Reports filed on behalf of the state be kept with the record. Copy of the orders dated 05.08.2022 and 19.09.2024 so submitted by the learned advocate appearing on behalf of the state be also kept with the record.

As a co-ordinate bench has, in the month of September 2024, observed that the court order dated March 14, 2022 in WPA 3929 of 2022 has been already complied with and the representation made to the police authorities was of an earlier date and the present petitioners before this court were also petitioners in the writ petition as also in the contempt petition, I am of the view that the present writ petition is not maintainable.

Accordingly WPA 24667 of 2024 is dismissed.

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

(Tirthankar Ghosh, J.)