

D/L89
06.11.2024
Bpg.
ct.no.35

W.P.A.24601 of 2024

**Dipak Chandra Mondal
Versus
State of West Bengal & Ors.**

Ms. Rita Patra
Mr. Pradip Bose
Ms. Pusmita Das.
...for the petitioner.

Mr. Vimal Kumar Shahi
Mrs. Pratiti Das.
...for the State-respondents.

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

Petitioner is aggrieved by the fact that he is
being prevented from constructing the boundary wall
and the private respondent no.5 is obstructing in the
right to enjoyment of his property.

Petitioner has approached the learned
Executive Magistrate, thereby invoking the provisions
under Section 144(2) of the Code of Criminal
Procedure.

Report has been submitted by the learned
advocate for the State. Report reflects that the
petitioner and the private respondent no.5 are
neighbours and the private respondent no.5 is also a
nephew of the petitioner.

Prima facie, the issue relating to dispute is amongst the family members. Be that as it may, police authorities are directed to keep a strict vigil and ensure that no breach of peace and tranquility takes place at the locale over the dispute between the petitioner and the private respondent no.5.

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

With the aforesaid observations, WPA 24601 of 2024 is disposed of.

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.)