

ORDER SHEET

WPO No. 250 of 2020
I.A. No. G.A. No. 1 of 2020
(Old No.) G.A. No. 1104 of 2020

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

KUSUM PRODUCTS LIMITED & ANR.
Versus
LIFE INSURANCE CORPORATION OF INDIA & ORS.

BEFORE:
The Hon'ble JUSTICE SUBRATA TALUKDAR
Date : 3rd September, 2020.

Appearance:
Mr. Biswajib Ghosh, Adv.
Mr. Ritesh Kumar Ganguly, Adv.
Ms. Puspita Sahoo, Adv.
... for petitioner.

Ms. Tanushree Das Gupta, Adv.
... for LIC.

Mr. Subhashis Sengupta, Adv.
... for respondent no.5.

The Court : This writ petition is moved on grounds of extreme urgency. The urgency pleaded is that the writ petitioner is a sub-lessee of the premises in issue and the respondent no.5 is the lessor. The premises belong to the respondent no.1 / the Life Insurance Corporation of India and is managed for all operational purposes by the respondent no.4, its Estate Officer.

It transpires herein that eviction proceedings under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (hereinafter referred to as the

1971 Act) was initiated by the respondent no.4 in the year 2016 against the respondent no.5, the original lessor under LIC.

Parties admit that the eviction proceedings have now, after a span of four years, reached the stage of arguments. Although it is argued that subletting is permissible to a maximum of two tenants and further argued that the notice connected to the eviction proceedings require all persons concerned who may be affected by the eviction an opportunity to show cause, this Court is not in a position to accept the proposition being now advanced by the writ petitioner, assuming that their status as sub-lessees under the respondent no.5 is correct in law, that knowledge of the eviction proceedings was acquired by the petitioners only in August, 2020.

The above theory advanced on behalf of the petitioners is, to the mind of this Court, only for gaining time in the eviction proceedings which is now at the stage of arguments. It is trite that law is for the vigilant.

Accordingly, the writ petition is not detained. Affidavits, in the light of the above discussion are not invited. Statements made are thus denied.

WPO No. 250 of 2020 stands dismissed.

Parties to act on a xerox copy of this order downloaded from the official website of the Hon'ble Court.

(SUBRATA TALUKDAR, J.)

mg/ sg.