

ORDER SHEET
WPO NO.587OF 2019
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

CITY DEVCON PVT. LTD. & ANR.
Versus
THE HOWRAH MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 22nd December, 2020

Appearance :
Mr. Anjan Bhattacharya, Adv.,
for the petitioner.

The Court : Despite service, none appears on behalf of the respondents.

Learned Counsel for the petitioners submits that the petitioners, being the owners of the property in question, are attempting to make constructions thereon, which is being obstructed by local anti-socials who have illegally sought to trespass on the property by carrying on a business of parking vehicles on the said property unlawfully.

Learned Counsel for the petitioners places the complaints lodged by the petitioners on that score, in particular, the complaints made before the Officer-in-Charge of the Howrah Police Station on August 19, 2019. It is submitted that in spite of such complaints the police have not taken effective action thereon.

It appears from the records that a report dated January 3, 2020 was filed by the police authorities before this Court in connection with the matter. It is evident from the said report that motorcycle parking and hawkers are an apparent problem in that area. However, it was claimed by the police authorities in the report that the allegation regarding goons demanding money from the petitioners could not be substantiated during enquiry.

Be that as it may, the petitioners being apparently the owners of the property in question, as reflected from the documents annexed to the writ petition, are entitled to police protection in the event the petitioners' possession and enjoyment of such property is disturbed unlawfully.

Accordingly, WPO No.587 of 2019 is disposed of by directing the respondent no.6 to ensure that the petitioners' enjoyment of the property in question is not disturbed by miscreants. The respondent no.6 shall immediately act on the written complaint made by the petitioners as annexed at page 18 of the writ petition. That apart, in the event the petitioners approach the police authorities for protection from anti-socials, if circumstances so arise, the police will offer necessary protection, if necessary, at the cost of the petitioners.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)