

D/L
Item No. 196
13.07.2021
(Video Conference)
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WPA 10453 of 2021

Sri Ramdeb Shaw
-vs.-
State of West Bengal & Ors.

Mr. Anirban Sarkar,
Mr. Chandi Charan De,

...for the State.

Mr. Jayanta Das,
Mr. Soumitra Ghosh,

...for the private respondent.

None appears for the petitioner.

The Court is informed that no particulars were furnished by the petitioner to send the video link. The state and the private respondent are represented.

Learned Advocate appearing for the State submits that by the impugned order dated November 2, 2020 an order of eviction was passed under Section 10 (2) of the West Bengal Highways Act, 1964. Such order is appealable.

In the facts of the present case, it appears that the authorities initiated a proceeding for eviction under the provisions of the Act of 1964 pursuant to an order passed in an earlier writ petition. The proceedings under the Act of 1964 resulted in the impugned order dated November 2, 2020. The impugned order is of eviction and is under Section 10(2) of the Act of 1964. The impugned order is appealable.

In such circumstances, the petitioner having statutory alternative remedy available, I am not minded to interfere under Article 226 of the Constitution of India.

WPA 10453 of 2021 is accordingly disposed of.

(Debangsu Basak, J.)