

09.08.2021.  
Item No. 109.  
Court No.13  
ap

**W.P.A. No. 11383 of 2021  
(Through Video Conference)**

**Sk. Salim  
Versus  
The State of West Bengal & Ors.**

Mr. Mohammad Khairul.

..For the petitioner.

Ms. Shaila Afrin,  
Ms. Rafat Jahan.

...For the respondent no.5.

Counsel for the petitioner submits that his client has addressed complaints to the Officer-in-charge, Park Street Police Station, inter alia, on 8<sup>th</sup> June, 2021, 26<sup>th</sup> June, 2021 and 29<sup>th</sup> June, 2021 seeking necessary permission to repair the tiles on the shed roof of the petitioner's tyre repairing shop No.12/H/6, Alimuddin Street, Police Station – Park Street, Kolkata – 700 016.

Reference is made to a Notification dated 6<sup>th</sup> June, 2021 of the State, inter alia, addressed to the Kolkata Municipal Corporation asking that defective roofs under the Kolkata Municipal Corporation area be repaired.

Counsel for the private respondent submits that the petitioner under the garb of effecting repairs, has trying to increase the height of his shop-room about two meters. She further submits that upon the neighbours of the petitioner protesting, the petitioner has threatened them.

This Court is of the view that the monsoon is nearly over and there is no immediate need to enforce the Notification of the State dated 6<sup>th</sup> June, 2021.

Be that as it may, the petitioner may take up the matter in accordance with law against the landlord before a civil forum.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

***(Rajasekhar Mantha, J.)***