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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 13163 of 2021

Anowara Mollah
-vs.-
The State of West Bengal & Ors.

Mr. Saptangsu Basu,
Mr. Tapan Kumar Bhattacharya,
Mr. Aviroop Bhattacharya
... for the petitioner

Mr. Pantu Deb Roy,
Mr. Anand Farmania
...for the respondent-authorities

The grievance of the petitioner, as espoused by the learned Senior Advocate appearing for the petitioner is that, the police-authorities have illegally locked and sealed the premises of the petitioner on certain vague allegations under the Immoral Traffic (Prevention) Act.

At the outset, such contention is controverted by learned counsel appearing for the State, who files a written instruction from his client, which is kept on record, which indicates that the petitioner herself handed over the keys of her hotel to the police authorities in view of the imminent danger due to a mass petition by the people of the neighbourhood in

respect of illegal activities allegedly going on in the petitioner's hotel.

However, it is squarely denied by learned counsel for the State that the hotel was sealed or locked by the police of their own at any point of time.

In view of such fair stand being taken by the State, there cannot be any impediment for the petitioner entering into the hotel premises and run the same, of course, subject to any order to the contrary passed by any competent court of law.

Hence, the police authorities are directed to return the keys of the hotel-in-question to the petitioner tomorrow, that is, on November 19, 2021, at 12.00 noon, when the petitioner shall make herself available before the police-authorities for taking charge of the said keys.

It is made clear that this Court has not gone into the merits of the allegations against the petitioner either way. The observations made herein shall not, in any manner, influence the rights and contentions of the parties in any criminal case, if initiated against the petitioner and/or in the event the petitioner approaches the police-authorities for appropriate protection, if necessary.

The parties shall act on the written communication of the learned advocates for the parties, coupled with a server copy of this order, without

insisting upon prior production of a certified copy thereof.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)