

13.12.2021
S/L. 53
Court no.13
pk

WPA 23880 of 2019

Sampa Bera
Vs.
The State of West Bengal and others

Mr. Anjan Bhattacharya,
Ms. Anita Shaw
...for writ petitioner.

Mr. Santanu Chatterjee
...for the State.

Mr. Madan Mohan Roy
... for the respondent nos. 6 and 7.

Mr. R. Sarkar,
Mr. Saunak Mukhopadhyay
... for the respondent no. 8.

The writ petitioner is a landlord in respect of a premises where a nursing home was being run by the private respondent no. 8, Smt. Arati Bag and the tenancy stood in her name.

The writ petitioner submits that the nursing home has been sealed by the CMOH, Purba Medinipur on 18.01.2017. The petitioner seeks possession on the said premises in her capacity as landlord.

The writ petition is thoroughly misconceived. The normal process for evicting a tenant is either under the provisions of the West Bengal Premises Tenancy Act, 1997 and/or the Transfer of Property Act, 1882.

Reserving liberty to the writ petitioner to pursue such remedies, the writ petition shall stand dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)