

15-03-2022
Item No.31
Subrata

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.4406 of 2022

Rohit Varma

-VS-

**Assistant Commissioner, Burtola, Kolkata North, West
Bengal & Ors.**

Mr. Arya Das

...for the petitioner

Md. T.M. Siddiqui

...for the respondents

Heard learned advocates appearing for the
respective parties.

In this writ petition, petitioner has challenged the
impugned order of dismissal of the petitioner's appeal
dated November 30, 2021 (p.57) confirming the order of
cancellation of the petitioner's registration.

On perusal of the impugned order of the appellate
authority, I am of the view that the issue involved is a
highly disputed question of fact with regard to the
possession of the premises in question by the petitioner as
well as declaration of the landlord that he does not know
the petitioner, and later on giving another declaration that
the landlord was coerced by the respondent authority
concerned to sign such declaration, and sitting in
constitutional writ jurisdiction, this court cannot go into
this highly disputed question of fact and the matter of
evidence.

Accordingly, this writ petition – WPA No.4406 of
2022 – is dismissed.

[Md. Nizamuddin, J]

