

14.09.2022
Court No.13
Item No.41
pk

WPA 19982 of 2022

Benazir Samad
Vs.
The State of West Bengal and others

Mr. S. N. Sinha Roy,
Sk. Abu Jafor,
Mr. Rameshwar Sinha
...for the petitioner.

Mr. Subhabrata Datta,
Mr. Debashis Sarkar
... for the State.

Mr. Upendra Roy
Md. F. A. Khan,
Md. Mustafa
... for the respondent no. 4.

The writ petitioner complains that she has acquired certain properties at premises No.-14, Syed Amir Ali Avenue, Kolkata-100017 in an award under the Arbitration Act, 1996. The writ petitioner claims that she has been unlawfully dispossessed from the said property by the private respondent, who has commenced the business thereat. The writ petitioner complains that despite complaint to the Beniapukur Police Station regarding the alleged dispossession, no action has been taken by them.

Having considered the records in the matter, this Court is of the view that the remedy of the petitioner is in seeking execution of any award that she may have obtained.

It is submitted by the respondents that application for execution has already been filed before the 17th ADJ, Alipore.

In that view of the matter, this Court is of the view that Beniapukur Police Station has no role to play in this matter. Beniapukur Police Station shall, however, ensure that there is no breach of peace in the locale.

The writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)