

S/L 6  
26.12.2021  
Court. No. 7  
*Suwayan*  
*GB*

W.P.A. 29047 of 2022

Md. Mojibur Rahaman @ Mojibur Rahman & Ors.  
Vs.  
NTPC Ltd. & Ors.

*Mr. Debasish Kundu*

*...for the Petitioners.*

*Mr. Piush Chaturvedi,*  
*Mr. Uttam Kumar Mandal*

*...for the NTPC Ltd.*

The petitioners challenge an eviction notice issued under Section 4 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 issued by the Estate Officer of NTPC Farakka Super Thermal Power Station.

It appears that the petitioners were employees of NTPC High School (H.S.), Pubarun, Malda. In compliance with an order dated January 22, 2021 passed in FMA 306 of 2019 (NTPC Limited versus Dr. Tej Narayan Singh Tarun & Ors.) the school was closed.

The petitioners subsequently were terminated from their respective services. Following such termination, the impugned notice was issued on December 22, 2022.

The petitioners suggest that the notice is liable to be interfered with since the same had not been issued in terms of the said Act of 1971, which speaks of giving a 7 days' notice to an unauthorised occupant.

The notice impugned is no doubt self contradictory. In the first paragraph, the petitioners were directed to show cause on or before December 30, 2022, again in the second paragraph, the petitioners have been directed to produce

evidence in support of the show cause on December 28, 2022.

To avoid all such confusions, this writ petition is disposed of with a direction upon the petitioners to appear before the relevant Estate Officer within 14 days from date.

After their appearance before the Estate Officer, the proceedings will proceed in accordance with law.

With the above observations, the writ petition being W.P.A. 29047 of 2022 is disposed of.

However, there will be no order as to costs.

Urgent xerox certified copy of this order be given to the parties on priority basis.

**(Kausik Chanda, J.)**