

OD-4

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/84/2020

ANAND JAISWAL
Versus
THE STATE OF WEST BENGAL AND 12 OTHERS

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 1st July, 2022.

Appearance :
Mr. Swarup Paul, Adv.
Mr. Debdipto Banerjee, Adv.
... for the petitioners.

Mr. Sumanta Ganguly, Adv.
Mr. P. Palit, Adv.
... for the respondent no.12.

Mr. Amitesh Banerjee, Sr. Adv.
Ms. Ipsita Banerjee, Adv.
... for the State.

The Court: It is submitted on behalf of the police authorities by the learned Senior standing Counsel that the shop room which has been mentioned by the petitioner and which is the subject matter of the civil suit, does not exist. On the complaint received by the police, the enquiry was made. The police tried to locate the shop of the petitioner, but the premises mentioned in the suit could not be identified. It is further submitted that upon enquiry, the police came to know that the original business of the petitioner was mortgaged to some other person.

The learned Advocate for the respondent no.12 submits that question of threatening the petitioner and preventing the petitioner from opening the shop room, does not arise.

The petitioner may approach the Officer-in-charge, Am herst street police station on July 5, 2022 at 12.00 noon. The petitioner shall accompany the Officer-in-charge, Amherst street police station for the identification of the shop which is already under lock and key, according to the petitioner. The Police authority shall cause an enquiry.

The respondent no.12 has already approached the civil Court and this order shall not prevent the parties from raising all issues before the civil Court. The respondent no.12 shall also be present during such identification. Both the petitioner and the respondent No.12 shall be accompanied by their learned Advocates. Police authorities shall act in accordance with law.

The matter is thus disposed of.

Parties to act on a server copy of this order.

(SHAMPA SARKAR, J.)