

OD 1

WPO 568 of 2022

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

RAM AYODIA BAHETI
VERSUS
STATE OF WEST BENGAL

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 8th February, 2022.

APPEARANCE:

Mr. Arindam Paul, Adv.

Mr. Ranajit Chatterjee, Adv.

Mr. Dwijadas Chakraborty, Adv.

Mr. Debjit Mukherjee, Adv.

Ms. Susmita Chatterjee, Adv.

The Court:- The instructions of the Executive Engineer (Civil), Borough –IV and Borough –V dated 31st January, 2022 is kept with the record.

The petitioner is aggrieved by the fact that notwithstanding injunction ordered by the Learned 12th Bench of the City Civil Court at Calcutta in TS No. 1626 of 2018, the private respondents are carrying on construction work. The remedy for the petitioner is to seek police help from the Civil Court, in enforcing its order. This Court, therefore, sees no inaction on the part of the police. Instructions of the officer-in-charge of Girish Park Police Station dated 20th November, 2021 is taken on record.

It further appears from the submissions of the Kolkata Municipal Corporation and the instructions of the Executive Engineer (Civil), Building, Borough –IV and Borough –V dated 31st January, 2022 that a sanction plan was obtained by the private respondent in respect of the property in question, by misrepresentation. The writ petitioner shall be at liberty to make an appropriate complaint and/or application to the KMC under the appropriate Statute in this regard.

With the aforesaid observations and directions, WPO No. 568 of 2022 stands disposed of.

(RAJASEKHAR MANTHA, J.)