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

WPO/1952/2022

M/S. MAROON DEVELOPERS PVT. LTD. AND ANR.
VERSUS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 21st April, 2022

Appearance:

Mr. S. Guha Thakurata, Adv.

Mr. Bikash Kumar Roy, Adv.

Ms. Tanuka Basu, Adv.

Mr. S. Nag, Adv.

Mr. Debjit Mukherjee, Adv.

Ms. S. Chatterjee, Adv.

Mr. Mayukh Mukherjee, Adv.

Mr. A. Dutt, Adv.

The Court: Instructions of the State filed in Court today is taken on record.

The petitioner complains that the police had not taken any steps in respect of a complaint against the private respondents for forcibly breaking open a padlock and starting illegal construction and demolition of a structure owned by the petitioners. Admittedly, the said structure is all tenanted. There is a civil suit being TS No. 536 of 2022 before 13th Bench, City Civil Court at Calcutta now pending for declaration of tenancy filed by the 2nd respondent against the writ petitioner.

Counsel for the State has produced instructions of the Muchipara police station dated 15th April, 2022 addressed to the learned Advocate appearing for the State. It appears that FIR No. 46 dated 8th March, 2022 under Section 448 and 427 of the Indian Penal Code has been registered on the complaint of one of the Directors of the petitioner. It appears that the Muchipara police station have

already taken adequate steps into investigating the matter, by examining the petitioner and informing the KMC Authority of the alleged illegal construction.

In that view of the matter, the instant writ petition is disposed of directing investigation into the FIR to be completed within a period of 45 days from date, and final report may be submitted to the Judicial Magistrate.

With the aforesaid observations, WPO No. 1952 of 2022 is disposed of.

(RAJASEKHAR MANTHA, J.)

mg/S. Chandra