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ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/2379/2022

PRATAP GHOSH AND ANR.
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 2nd August, 2022.

Appearance:
Mr. Debdeep Sinha, Adv.
Mr. Kamal Kumar Chattopadhyay, Adv.
For the petitioners.

Mr. Debashis Ghosh, Adv.
Mr. Debraj Sahu, Adv.
For the State.

The Court: The petitioners complain of overt act of the police authorities. It is alleged that the Officer-in-Charge, Shyampukur Police Station obstructed the repairing work of premises No. 210, Acharya Prafulla Chandra Road, Kolkata-700 004.

The police authorities have filed a report. The Officer-in-Charge, Shyampukur Police Station received an information that an unauthorized construction was going on. Such information was registered as General Diary Entry No. 1830 dated July 20, 2022. A communication was made to the Executive Engineer, Building

Department, Borough-II, Kolkata Municipal Corporation, by the police authority.

It appears that a stop work notice was subsequently issued by the Kolkata Municipal Corporation to the petitioners with regard to the alleged construction. The Officer-in-Charge, Shyampukur Police Station, was also instructed to keep a strict vigil so that no unauthorized construction takes place on the first floor of the said building.

Thus, this Court finds that the police authorities have acted on the basis of information received with regard to the alleged unauthorized construction. Thereafter, on the request of the Assistant Engineer[C] Building Department, Borough-II, Kolkata Municipal Corporation, the police has taken steps. The remedy of the petitioners would be to approach the appropriate forum with regard to the alleged stop work notice. The police authorities are directed to act and proceed in accordance with law.

Accordingly, the writ petition is disposed of.

(SHAMPA SARKAR, J)