

OD-1

WPO/2428/2022
IA NO: GA/1/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

CENTRAL WAREHOUSING CORPORATION
VS
State of West Bengal AND ORS

BEFORE:
The Hon'ble JUSTICE RAJASEKHAR MANTHA
Date : 22nd November, 2022.

Appearance:
Mr. Samrat Chowdhury, Adv.
Mr. Biswajit Chowdhury, Adv.
...for petitioner.

Mr. Tapas Kr. Manna, Adv.
...for private respondent.
Mr. Sirsanya Bandopadhyay, Adv.
Mr. Arka Kr. Nag, Adv.
...for State.

The Court : The writ petitioner is a statutory body under the Central Government. It is aggrieved by inaction on the part of the North Port police station in rendering assistance in execution of an order passed by the Estate Officer under the Public Premises (Eviction Unauthorized Occupants) Act, 1971.

Counsel for the State submits that they always have been willing to render assistance to the petitioner. They had communicated to the petitioner on 24th March, 2022 for seeking a meeting to inspect property in question.

Counsel for the private respondent no. 5 has submitted before this Court that his client has instituted a writ petition before this Court being

WP/4821/2020 challenging order of the Estate Officer. The writ petition has been dismissed for default and the restoration and recall of such order has been applied for. There are other civil suits stated to be pending.

This Court is of the view that the petitioner is entitled to the assistance of the police station in carrying out the order of the Estate Officer. The Estate Officer's order appears to have reached the finality since there is no appeal therefrom.

In the above circumstances, subject to any other order that may be passed in respect of the order of eviction passed by the Estate Officer, the North Port police station shall immediately render all assistance to the petitioner in accordance with law, for carrying out the order of the Estate Officer, as expeditiously as possible. The costs of the deployment of police protection shall also be borne by the petitioner.

In view of the above, WPO/2428/2022 is disposed of.

(RAJASEKHAR MANTHA, J.)