

**30.01.2023**  
**sayandeep**  
**Sl. No. 18**  
**Ct. No. 05**

**WPA 1394 of 2023**

Mono Limma & Ors.  
-Versus-  
The Union of India & Ors.

Mr. Shubasish Sengupta  
Mr. Abhimanyu Banerjee

.....for the petitioners

Mr. Himadri Sekhar Chakraborty  
Mr. Parikshit Goswami

..... for the State

Mr. Suman Chattopadhyay

.....for the respondent Nos. 1 to 8

The only grievance of the 24 writ petitioners is that the petitioners have not been given the certified copy of the documents stated in the representation made by the petitioner No. 1 to the Estate Officer on 9<sup>th</sup> January, 2023. Of the three documents called for, the petitioners seek certified copy of the eviction order dated 6<sup>th</sup> October, 2022 without which, according to learned counsel, the petitioners will not be in a position to exhaust the remedy provided under Section 9 of The Public Premises(Eviction of Unauthorized Occupants) Act, 1971.

This Court is of the view that if the eviction has been completed on 24<sup>th</sup> January, 2023 as would appear from a Report of the Deputy Commissioner of Police, Howrah Police Commissionerate, there is no reason as to why respondents would seek to sit on the certified copy of the order of eviction and refuse to make over the same to the petitioners.

WPA 1394 of 2023 is accordingly disposed of with the direction on the respondent No. 7 being the Estate Officer & Court to hand over a copy of the certified copy of the eviction order dated 6<sup>th</sup> October, 2022 to all the 24 petitioners by 3<sup>rd</sup> February, 2023. The appellate authority shall have the liberty of construing Section 9(2)(c) of the 1971 Act accordingly.

**(Moushumi Bhattacharya, J.)**