

D/L. 10.
October 3, 2023.
MNS.

WPA No. 8967 of 2023

Suvasish Biswas
Vs.
The Food Corporation of India and others

Mr. Sounak Bhattacharya,
Mr. Sounak Mondal,
Mr. Abhirup Halder

... for the petitioner.

1. Affidavit-of-service filed in Court today be kept on record.
2. Despite service, none appears on behalf of the respondents.
3. Learned counsel for the petitioner submits that the petitioner granted a lease to the Food Corporation of India. Subsequently, on expiry of the lease, the FCI sought an extension. Correspondence between the parties ensued. Ultimately fair rent was assessed at the behest of the FCI, to which the petitioner agreed for the purpose of renewal.
4. However, the petitioner is now aggrieved by a communication dated December 22, 2022 by the respondent authorities, whereby it has been stated that the new revised rate will be effective from the date of execution of fresh

rent agreement. It is submitted that the lease expired long back on February 28, 2019 and, as such, the revised rent will be applicable from immediately thereafter and not from the date of execution of fresh rent agreement, since the respondents have remained in occupation of the property all along.

5. The dispute sought to be raised herein falls categorically within the domain of a civil dispute between the parties. In any event, it is for the petitioner either to agree to renewal of the lease in terms as put forth by the respondent authorities or not. The writ court, in the judicial review jurisdiction, cannot act as a mediator in that regard.
6. As such, there is no scope of interference in the matter.
7. Accordingly, WPA No. 8967 of 2023 is dismissed without any order as to costs.
8. However, it is made clear that the rights and contentions of either parties with regard to the concerned lease and/or the property concerned have not been entered into in any manner by this Court.

9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)