

613
19.12.2023
ssi

Ct 14

WPA 14521 of 2023

Ajay Prasad

-vs-

The State of West Bengal & ors.

Ms. Tanusri Chanda

...for the petitioner

Mr. Jayanta Samanta

Mr. Shourya Vir Das

...for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a tenant in the premises in question. The private respondents had filed a suit for eviction, which has now been dismissed. The roof of the tenanted premises where the petitioner is running 'restaurant' is in a dilapidated condition. Any moment any mishap may occur. Police help is required to have the said roof repaired.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The police authorities have obtained information from the Nalhati Municipality that the condition of roof of the building is indeed very bad. It requires repair work. In view of the same, the police are agreeable to render assistance to the petitioner for repair of the same. However, a suit for eviction being T.S. Case No.

172 of 2023 filed by the owner against the present petitioner is pending before the learned Civil Court.

The parties seem to proceed on the premise that the owner of the building is not going into repair the damaged portion of the roof.

In view of the observations recorded by the Municipality, in the event the petitioner decides to repair the roof, he shall be at liberty to pray for police help.

With a reasonable notice, the petitioner has to inform the Officer in Charge of the Nalhati Local Police Station for necessary police picket of two personnel who would stand on watch at the time the repair work takes place. The cost of the police picket shall be borne by the petitioner.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

Parties shall act on a server copy downloaded from the official website of this Court.

(Jay Sengupta, J.)