

Item No.9

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

28.03.2023
Ct-24

WPA 18926 of 2021
Sri Partha Pratim Parua
v.
The State of West Bengal & Ors.

Mr. Ziaul Haque
Mr. Himadri Kumar Mahata
Mr. Sudip Kushari
... for the petitioner.

Mr. Gopal Chandra Das
... for the Municipality.

Mr. Raja Saha
Mr. Amit Kumar Ghosh
... for the State.

An affidavit has been filed by the Executive Officer, Tamralipta Municipality wherein it has been mentioned that the Municipality with the help of the police put the padlock and the keys ought to have been in possession of the Chairman of the Municipality. Despite thorough search, the said keys remained untraceable.

As the Municipality has affirmed by way of affidavit that the key to the lock which was put on the premises of the petitioner is missing, accordingly, it will be open for the petitioner to break open the padlock and use the subject premises in accordance with law.

The petitioner may approach the police if any obstruction or resistance is made by any party at the time of breaking the padlock. The police shall render necessary help and assistance to the petitioner.

The writ petition stands disposed of.

The affidavit filed in Court today be kept on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)