

23
16.10.2023
ssi

Ct 14

WPA 21757 of 2023

Samir Chatterjee

-vs-

State of West Bengal & ors..

Mr. Bharat Chandra Simai

Ms. Sanchayita Das

...for the petitioner

Mr. Nirmalya Das

Mr. Ayan Dutta

...for the State

Leave is granted to the petitioner to expunge the names of the private respondent nos. 5 to 8 from the cause title.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service upon the respondent no.9, no one represents him.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a tenant for the last 40 years under the respondent nos. 5 to 8. The respondent no.9 is a promoter of buildings. The private respondents had thought of promoting the building where the petitioner is a tenant in a portion. The petitioner was constrained to move a title suit. He was granted a permanent injunction directing the defendants not to demolish the building or to oust the

petitioner. In violation of the same, the respondent no. 9 and his men and agents came and tried to forcibly oust the petitioner from the said property. Police help was sought but was denied.

Learned counsel for the State relies on the report and submits as follows. Upon inquiry nothing was found so as to substantiate the allegations made by the present petitioner. However, the police are still keeping a close watch on the developments in the locality.

It appears that there is a civil suit pending between the private parties.

If any further relief is sought by any of the parties in respect of the said property, the same has to be before the said Civil Court.

It also appears that the State has made an inquiry into the allegations made by the petitioner.

Therefore, no further order need be passed in this regard.

However, the police authorities shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and see to it that no order of a Civil Court is violated.

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.

(Jay Sengupta, J.)

