

November 16, 2023
AD 62
Court No.14
SG

WPA 22297 of 2023

Shyam Sundar Agarwal
vs.
The State of West Bengal and others

Mr. Sanjib Bandyopadhyay
... for the petitioner

Mr. Jayanta Samanta
Mr. Manas Kumar Sadhu
... for the State

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is a developer of the property in question. He has constructed G+3 flat in one part of the premises and in the other part, some shop rooms were there. In fact, the private respondents are not even legal tenants of such shop rooms. Initially, they had agreed to vacate the shop rooms on the promise being given some space in the newly reconstructed building. But, they have gone back on their promise.

Learned advocate for the State relies on the report and submits that the matter is purely civil in nature.

Indeed, the matter is civil in nature. This is not a case of police inaction.

It is for the petitioner to have initiated appropriate proceedings for eviction of any illegal occupant.

I find no merit in the case and the same is dismissed.

There shall be no order as to costs.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]