

09.11.2023  
SL No.50  
Court No.5  
(rp/gc)

**WPA 25911 of 2023**

**Amit Kumar Maity & Anr.  
Vs.  
The State of West Bengal & Ors.**

Mr. Subhadeep Chatterjee  
...for the Petitioners.

Mr. Somnath Ganguli, A.G.P.,  
Ms. Priyamvada Singh  
...for the State.

1. The grievance of the petitioners is that the Sub-Divisional Officer, Contai is taking steps to evict them without initiating any proceeding against them.
2. The petitioners submit that they are running a business under the name and style "Marine Drive Beach Resorts". An order of eviction has been passed on 10<sup>th</sup> October, 2023. The Sub-Divisional Officer is trying to implement the said order and pressurising the petitioners to vacate the property, even though, the petitioners were not parties to the proceeding where the order was passed on 10<sup>th</sup> October, 2023.
3. The properties against which the order of eviction has been passed is reflected in the Memo No.577(9)/LR dated 17<sup>th</sup> October, 2023 annexed at page 18A of the writ

petition. The name of the petitioners does not appear in the said Memo.

4. The writ petition is disposed of by directing the Collector and Sub-Divisional Officer, Contai to take steps pursuant to the order dated 10<sup>th</sup> October, 2023 in respect of the parties to the proceeding. In the event the petitioners were not impleaded as parties in the said proceeding, the said order cannot be implemented against the petitioners.

**(Amrita Sinha, J.)**