

24.03.2023
Item No. 20
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 27205 of 2022

**Ramkrishna Nayak
-versus
The State of West Bengal & Ors.**

Mr. Amit Baran Dash,
Ms. Ankana Sarkar, ...For the Petitioner.

Mr. Sudipto Panda,
Ms. Munmun Tewari,
... For the State.

Mr. Debasish Das, ... for the respondent No. 9.

The private respondent No. 9 being the owner of the subject plot has filed a further undertaking wherein it has been mentioned that the said respondent will let out one room in favour of the petitioner measuring about 548 sq feet on monthly rental basis as per market value for business purpose in the new building that will be constructed.

The private respondent had earlier filed an undertaking mentioning that he will construct a new building within two years from the date of demolition.

Learned advocate for the petitioner is agreeable to the area of the room that will be provided to him in the newly constructed building. The petitioner seeks some time to vacate the tenanted premises.

The petitioner is granted time till 13th April, 2023 for vacating the portion which he is presently occupying so that the private respondent may take steps for demolition of the same and for construction of a new

building thereon in accordance with the plan to be sanctioned by the Municipality.

The private respondent shall be obliged to hand over possession of the room in the newly constructed building to the petitioner in terms of the undertaking filed in Court.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)