

16.02.2023
Court No.13
Item No.18
AP

WPA 28677 of 2022

Sailen Layek

Vs.

State of West Bengal & Ors.

Mr. Dilip Kumar Samanta

Mr. Biswapriya Samanta

Mr. Argha Banerjee

Ms. Tithi Paul

... For the Petitioner.

The petitioner claims that he was running a lodging house at a particular premise, which he was enjoying as a tenant. It is submitted that certain persons, at the instance of the respondent Nos.5 and 6 put a padlock on his premises on 17th November, 2022. The petitioner complained to the Coke Oven Police Station seeking restoration of his possession.

It is now well-settled that the circumstances under which the petitioner has been allegedly evicted cannot be gone into by a writ court. Appropriate remedies may be available in civil law inter alia under Section 6 of the Specific Relief Act, 1963.

However, the allegation of threat and intimidation of the petitioner and his staff on 22nd December, 2022 may be inquired into by the Coke Oven Police Station and appropriate steps may be taken in this regard.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

The report of the OC, Coke Oven Police Station, Asansol Durgapur Police Commissionerate dated 16th February, 2023 is kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)