

AD-03
Ct No.09
06.02.2024
TN

WPA No. 784 of 2020

Rehana Begum and others
Vs.
Allahabad Bank and others

Mr. Akash Dutta,
Mr. Zahid Abedin

.... for the petitioners

Mr. Om Narayan Rai,
Ms. Deblina Lahiri,
Mr. Mrinmoy Chatterjee,
Mr. Piyas Choudhury

.... for the respondent-Bank

- 1.** The limited context of the writ petition is that the petitioners, successful auction purchasers from the Bank, have not yet been handed over possession of the property.
- 2.** Learned counsel for the respondent-Bank submits that although the Bank has already deposited police help costs as asked for by the Superintendent of Police, no such assistance is being given to the respondent-Bank, for which the handing over could not take place as yet.
- 3.** It transpires that the police authorities are not parties to the writ petition. However, in view of the nature of the dispute involved in the writ petition, the Police, in any event, is neither a proper nor a necessary party. However, it is the

incumbent duty of the police authorities to implement an order of a court.

- 4.** In the present case, substantial justice demands that the petitioners, successful auction purchasers, ought to be handed over possession by the Bank, if necessary by police help.
- 5.** Hence, WPA No. 784 of 2020 is disposed of by directing the respondent-Bank to hand over peaceful and vacant possession of the property purchased by the petitioners to the petitioners within three weeks from date.
- 6.** It is made clear that the police authorities shall act on a server copy of this order, coupled with written communication by learned counsel for the parties in order to render adequate police assistance to implement the order of court as directed above.
- 7.** For such purpose, since the Bank has already deposited the police help costs, such costs shall be considered to be adequate and the police authorities concerned shall immediately grant full assistance to the respondent-Bank to carry out the said handing over of possession.
- 8.** There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the

parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)