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jdt.

01.02.2024
jb.

W.P.A. 1820 of 2024
Enkon Private Limited
Vs.
Syama Prasad Mookerjee Port Kolkata & Anr.

Mr. Nilanjan Bhattacharjee
Mr. Dipanjan Sinha Roy
Mr. Saikat Dey
.... For the Petitioner
Mr. Subhankar Nag
Ms. Suhasini Sen
Mr. Danyal Ahmed
.... For the KOPT

The notice issued by the Estate Manager (I/C) on behalf of Syama Prasad Mookerjee Port, Kolkata on 15th January, 2024 is assailed in the writ petition.

The petitioner claims to be a licensee in respect of the plot in question and was served with such notice by the authority.

Learned counsel for the petitioner submits that the concerned authority may be directed not to evict the petitioner without taking recourse to law.

The notice impugned indicates that in case of default in handing over vacant possession of the property by the petitioner, the authority shall be at liberty to take recourse to law, civil or criminal or both as may be advised without prejudice to any other rights which may be available under law and the petitioner shall be held liable for all costs and consequences arising therefrom. In other words, the notice impugned very clearly states that the authority shall take recourse to law for evicting the petitioner from the plot in

question in the event the petitioner does not vacate the same upon service of notice.

In view of such intention of the authority as recorded in the notice itself, nothing further remains to be adjudicated in the writ petition and the same is accordingly disposed of.

There shall be no order as to costs.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)