

28-06-2024
Item No.20
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.3994 of 2024
Mina Acharya @ Acharjee & Anr.
-vs-
The State of West Bengal & Ors.

Mr. Ramkrishna Bhattacharya
Mr. Koushik Chowdhury
Ms. Shreya Hazra ...for the petitioners

Mr. Wasim Ahmed
Md. Shehabuddin ...for the State

Mr. Sabyasachi Chatterjee
Mr. Pintu Karar
Mr. Akashdeep Banerjee
Ms. Sayanee Manna ...for respondents no.6-10

The petitioners claim to be the tenants of premises No.71, Sadar Boxi Lane (Danu Bose Lane), Howrah-711101. They allege that the private respondents are threatening to evict them from the tenanted premises without due process of law. The petitioners approached the police for relief, but no steps are alleged to be taken. Hence this writ petition.

Learned advocate for the private respondents submits, upon instructions, that construction in an adjacent property is going on and that there is no threat to the tenancy of the petitioner.

The report filed by the Officer-in-Charge, Howrah police station dated April 2, 2024 mentions that some persons were trying to damage the meter box wherefrom the petitioners obtained electricity and such incident has

been diarised vide Howrah PS GDE No. 764 dated December 24, 2023. As construction work is going on in holding no.70, Sadar Boxi Lane which is adjacent to the petitioners' tenanted premises, they fear that their portion of the structure may collapse. The police are keeping strict vigil over the area.

As regards threat of eviction without the due process of law, it is open for the petitioners to approach the competent forum for relief. The police are, however, directed to ensure that there is no breach of peace at the locale.

The writ petition is disposed of.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

