

April 25, 2024
AD 11
Ct. No.14
SG

WPA 11513 of 2024

Hari Shankar Shaw and another
vs
The State of West Bengal and others

Mr. Samrat Dey Paul
Mr. Anish Chakraborty
... for the petitioners

Mr. Amitesh Banerjee
Mr. Ansar Mondal
Ms. Somashree Dey
... for the State

Mr. Subhajit Chowdhury
Mr. D. Kar
... for the private respondents

Affidavit of service filed in Court is taken on record.

Learned counsel for the petitioners submits as follows. The petitioner No.1 is the secretary of a marketing committee at Landsdown. The petitioner No.2 is his brother. The private respondents are acting at the behest of some others and trying to prevent the petitioners from running shops. A writ petition is pending before this Court and is being heard. In the midst of hearing, the petitioners had to seek police help even to open their shops.

Learned counsel appearing for the private respondents denies the allegations and submits as follows. There is no cause of action made out to act upon. The private respondents are also shop-owners and there is a dispute regarding certain issues between the shop-owners. However, it is denied that the private

respondents have prevented the petitioners from opening their shops. Several cases are pending between the parties. Even a civil suit is pending.

Learned counsel appearing for the State submits as follows. There is a dispute regarding accounting in respect the market committee in question. There are disputes between different members of the committee. However, when the petitioners asked for police help, the police simply asked them to go and open their shops and said that nobody was going to prevent them from doing so. The petitioners were able to open their shops and run their business.

It appears that there is a dispute between the private parties including a civil suit and a writ petition.

Therefore, no further order need be passed in this regard.

However, the police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

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

[Jay Sengupta, J.]

