

Item No.40

28.06.2024
Ct-14

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 15013 of 2024
Chandana Saha & Anr.
v.

The State of West Bengal & Ors.

Mr. Avishek Prasad
Mr. Sourodeep Singha
... for the petitioners.

Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedi
... for the State.

The petitioners being the co-owners of the subject property intend to put a rolling shutter in front of the room which was let out on tenancy. Allegation is that the local politicians are preventing the petitioners from installing the shutter.

The report of the police dated June 18, 2024 mentions that there is a dispute between the landlord and the tenant. Report further reveals that on April 15, 2024 an incident of fire broke out in the tenanted portion and at the time of extinguishing the fire the CESC & the Fire Brigade authority damaged the shutter gate.

The tenant has not objected to the installation of the shutter gate. The local people do not have a say as to how a landlord will protect his property. Replacing the damaged shutter gate will not create any extra right in favour of the petitioner.

The police is directed to ensure that there is no disturbance caused to the petitioners being the co-owners of the subject property to install new shutter gate by replacing the one which got damaged on account of fire.

The police shall further ensure that there is no breach of peace at the locale.

The writ petition stands disposed of.

Affidavit-of-service filed in Court today is taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)