

Item No.1

12.07.2024
Ct-14

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 17494 of 2024
Manoj Tewari

v.

The State of West Bengal & Ors.

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

... for the petitioner.

Mr. Anant Kumar Shaw
Mr. Mainak Ganguly
Mr. Niloy Baran Mondal
Mr. Swati Sharma

... for the respondent no. 5.

Mr. Amitesh Banerjee, Ld. Sr. S.C.
Mr. Akash Dutta

... for the State.

Mr. Alak Kumar Ghosh
Mr. Arijit Dey

... for KMC.

The petitioner prays for quashing of the FIR No. 96
dated July 4, 2024.

The grievance of the petitioner is that complaint
was filed by the de facto complainant on July 3, 2024
and on July 4, 2024 at 12-30 a.m. the FIR has been
registered at the instance of a very influential member of
the ruling dispensation. Mala fide has been alleged.

It appears that the issue revolves around the
property being M-92, Paharpur Road, Ward No. 133,
Borough-XV.

The petitioner claims to be the owner of the subject premises and intends to act in accordance with the notice issued under Section 411(1) of the Kolkata Municipal Corporation Act, 1980.

The private respondent claiming to be a tenanted school running from the subject premises for a considerable period of time is opposing the work of demolition. Out of the said dispute the FIR was registered.

It appears that the investigation has just started. At this stage, it will not be proper for the Court to stall the same. The parties are directed to cooperate with the authority for investigation of the allegations in the FIR.

It will be open for the aggrieved party to approach the learned trial Judge in seisin of the matter for any further relief.

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.)