

05.08.2024

WPA 17830 of 2024

**State Bank of India & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Debashis Saha
Mr. S. Pal

... .. for the petitioners

Mr. Ayan Ch. Roy
Mr. Anirban Datta

... .. for the State

Affidavit of service filed in Court be kept with the record.

Learned counsel appearing for the petitioners submits that the petitioner bank had filed an application/representation before the Superintendent of Police, Diamond Harbour Police District, District – South 24-Parganas with a copy to the Officer-in-Charge of Bishnupur Police Station, Diamond Harbour Police District, District – South 24-Parganas but no steps have been taken by the Officer-in-Charge or the Superintendent of Police till date.

Learned counsel further submits that though the petitioner bank is in notional possession of the flat but some unauthorized persons have been obstructing the petitioner bank from taking over physical possession of the flat and hand it over to the successful bidder.

Learned counsel appearing for the State submits that acting on the instructions of the owner's association,

some private security personnel have resisted the petitioner bank from entering the flat and taking over physical possession of the same and handing it over to the successful bidder namely, Barun Hazra.

Report filed by the State is taken on record.

Heard learned counsels for the parties.

Officer-in-Charge, Bishnupur Police Station, Diamond Harbour Police District, District – South 24-Parganas, being the respondent no.3 in the instant application is directed to provide sufficient police force to the petitioner bank so that the petitioner bank and its agents can enter into the apartment and take over actual physical possession of the flat having Unit No.7405 on 4th Floor, Block-7 in the building known as Swangreen Rasapunja. In the meantime, petitioner bank shall deposit necessary fees by way of challan in accordance with law to get police assistance and inform respondent no.3, i.e. Officer-in-Charge, Bishnupur Police Station the date and time on which such assistance is required.

With the above directions, the Writ Petition being WPA 17830 of 2024 is disposed of.

There shall be no order as to costs.

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

(Rajarshi Bharadwaj, J.)