

D/L.106.
September 25, 2024.
MNS.

WPA No. 19609 of 2024

Aman Ali Sekh
Vs.
The State of West Bengal and others

Mr. Dinesh Chandra Mondal,
Mr. Debabrata Mondal

... for the petitioner.

Mrs. Jhuma Chakraborty,
Mrs. Kakali Naskar

...for the State.

Affidavit-of-service so filed by the petitioner
be kept with the record.

Report submitted by the State be also kept
with the record. A copy of the report be handed
over to the learned advocate appearing for the
petitioner.

The petitioner claims that he had a
dispensary at the premises which originally
belonged to his mother-in-law. Since 2021, he
has been unable to operate from the said
dispensary after the demise of his mother-in-law.
From the police report it reflects that one Abhijit
Gayen is in possession of the house and having a
tea shop since his childhood which has surfaced
from local enquiry conducted by the police and
reflected in the report dated 8th September, 2024
submitted before this Court.

In case there is a dispensary, which is under lock and key as submitted by the learned advocate appearing on behalf of the petitioner, in that case, if the petitioner enters in such dispensary, he should not be resisted and/or harassed provided there are documents to show that the property belonged to his mother-in-law.

The police will ensure by keeping a strict vigil that no breach of peace and tranquility results because of the petitioner entering into the area and in no way he should be harassed while operating from the said dispensary.

This order is subject to the petitioner being able to show documents that the property or the dispensary from which he was operating belongs to his demised mother-in-law.

With the aforesaid observations, WPA No. 19609 of 2024 is disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

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

(Tirthankar Ghosh, J.)