

WPA 24560 of 2023

Aniruddha Dey

-vs-

The State of West Bengal & ors.

Mr. Anupam Das

Mr. Soupal Chatterjee

Ms. Sucheta Banerjee

...for the petitioner

Mrs. Jyotsna Roy Mukherjee

Ms. Srijani Mukherjee

...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a tenant of the respondent no.5 at the premises in question. There he runs a lens manufacturing unit. He has several expensive instruments in his factory there. Now he wants to terminate the tenancy and shift his unit elsewhere. But the private respondents are preventing him from doing so and from even taking away his own instruments from the tenanted premises. He is trying to extort more sums of money. This was brought to the notice of the police, but no action was taken.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The petitioner had initiated a proceeding under Section 144 of the Code. Apparently an amicable settlement was arrived at between the private parties on 30.09.2023 and the same was diarised. However, the police are keeping a close watch on the developments in the locality.

The purported amicable settlement might not have materialized. Otherwise, the petitioner would not have approached this Court.

Whether the tenancy in question is terminated or not and on whichever terms, the petitioner has every right to take away his own machinery and instruments from the said tenanted premises to anywhere else.

If the petitioner needs police assistance in this regard, he shall be at liberty to pray for the same before the local police authorities, which shall be decided promptly and in accordance with law.

Even otherwise 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, allegations are deemed not to have been admitted.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)

