

18.07.2024
Item No.35
Ct. No.35
dc.

W.P.A. 23629 of 2019

**Sri Sabitabrata Das @ Sabitabrata Das
versus
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee,
Mr. Saptarshi Chakraborty
... For the Petitioner.

Mr. Susovan Sengupta,
Mr. Subir Pal ... For the State.

Mr. Shibendra Nath Chattopadhyay
... For the Respondent Nos. 4 & 5.

Report dated 18.07.2024 submitted by
Officer-in-Charge, Baranagar Police Station through
the learned advocate for the State be kept with the
record.

The said report reflects that no contact could
be established with the petitioner, but the admitted
position is that first floor of the premises being
12/1/5, Mondal Para Lane, P.S. Baranagar,
Kolkata-90 is occupied by the petitioner while the
ground floor of the premises is being used by the
respondent nos. 4 and 5.

The main thrust of submission of the learned
advocate for the petitioner is that in his own house,
the petitioner is unable to use the passage which
has been locked and as such, he cannot go to the
first floor of the premises.

If the petitioner at the time of entrance at the
first floor is obstructed and approaches the police
authorities of Baranagar Police Station, the

concerned police station would render assistance to the present petitioner. However, this should not be a ploy to dispossess the respondent nos. 4 and 5 from the ground floor.

With the aforesaid observations, WPA 23629 of 2019 is disposed of.

Pending connected application, if any, is consequently disposed of.

There shall be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)