

D/L 13
21.11.2024
Kausik
ct.no.35

W.P.A. 27282 of 2024

**M/s. J.K. Engineering Corporation
Versus
The State of West Bengal & Ors.**

Mr. Nilanjan Bhattacharjee
Mr. Abhilash Chatterjee
Mr. Saikat Dey

...for the petitioner.

Mr. Nilotpall Chatterjee
Mr. Saptak Sanyal

...for the state.

Affidavit of service so filed be kept with the record.

Petitioner is aggrieved by the fact that the petitioner is admittedly in possession of the premises and to that effect civil court has in TS No. 170 of 2017 vide order dated 13.02.2017 passed an order so that the petitioner cannot be dispossessed from the schedule property.

Petitioner now complains that the respondent no. 13, in collusion with the landlord, has created a circumstance by way of which the free egress and ingress of the petitioner is being obstructed.

Report has been submitted on behalf of the state. Report of the state reflects that the construction which has been carried on or is being carried on is adjacent to the petitioner's tenanted R.T. Shed.

Considering the plight of the present petitioner and there being a direction from the civil court and the report of the police authorities also reflect that the petitioner is in possession, I direct that the police authorities would ensure regarding the free egress and ingress of the petitioner at the tenanted R.T. Shed which they have admitted in their report.

So far as other issues are concerned petitioner will ventilate his grievance before the jurisdictional civil court.

With the aforesaid observations WPA 27282 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)