

25.02.2025
Item No.167
Ct. No.35
dc.

W.P.A. 3490 of 2025

**Hydari and Rehmatbai Vadnagarwala
Maternity and Nursing Home Trust
versus
The State of West Bengal & Ors.**

Mr. Mainak Ganguly,
Mr. Dhiraj Kumar Gupta,
Mr. Swarup Saha ... For the Petitioner.

Ms. Sonal Sinha,
Ms. Ashmita Chakraborty ... For the State.

Mr. Sarathi Dasgupta,
Mr. Anubhav Khastagir,
Mr. Avishek Choudhury ... For the Respondent No.4.

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

Report submitted by the learned advocate
appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that
police authorities have been exercising their
excesses and to that extent, the petitioner
complains that the Secretary of the Trust and
another Trustee are repeatedly being called at the
police station and unnecessarily they are kept
stranded for a considerable period of time without
any rhyme or reason or without allowing them to
know in respect of the accusations which have been
levelled against them.

State has submitted a report which reflects
that the petitioner and the private respondent are
at loggerheads and a landlord-tenant dispute

including eviction suit is pending before the appropriate civil court.

Learned advocate appearing for the private respondent no.4 submits that on the basis of complaint filed by the private respondent no.4 only, police authorities have called them as essential supplies were suspended by the petitioner.

Learned advocate for the petitioner submits that since there are no criminal cases and the petitioner/trustees are being called over phone, I direct the police authorities that in case any notice is served, the same must be in connection with a case registered by the police authorities. The police authorities in that case will proceed in accordance with law on the basis of complaint received by them. However, the police authorities would also ensure that the petitioner/trustees are not unnecessarily harassed and/or heckled on trivial issues, the foundation of which are civil disputes.

With the aforesaid observations, the writ petition being WPA 3490 of 2025 is disposed of.

There will be no order as to costs.

Photostat copies of the complaint filed on behalf of the private respondent no.4 be also kept with the record.

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.)