

D/L 12
11.04.2025
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ct.no.35

W.P.A. 6640 of 2025

**Sukumar Dey
Versus
The State of West Bengal & Ors.**

Mr. Jagannath Ganguly
Ms. Sutapa Mondal.
...for the petitioner.

Mr. Vimal Kumar Shahi
Mr. SM Samim Ullah.
...for the State-respondents.

Mr. Debasis Kar
Mr. Dibyendu Gangopadhyay
Mr. Arka Tilak Bhadra
Mr. Husen Mustafi.
...for the private
respondent nos.5 to 11.

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

Petitioner and the private respondent nos.5
to 11 have dispute in respect of a departmental store
namely, "MORE RETAIL LIMITED" which is carrying
on his business at the ground floor of the property
being E-1, H.B. Town, P.O. Sodepur, P.S. Khardah,
Kolkata 700 110.

The core issue is relating to generator being
installed at the common passage and also in relation
to the padlocks which have been installed at certain

places for which the petitioner complains regarding free access not being available.

State has submitted a report which prima facie reflects that dispute and differences have cropped up between the petitioner and the private respondents.

So far as the issue relating to continuation of business is concerned, the same has its genesis in an agreement. So far as the essential services are concerned relating to electricity and water as also relating to free egress and ingress of all the parties, police authorities would ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the parties. So far as other rights are concerned, the parties would approach the jurisdictional civil court for establishing their rights.

With the aforesaid observations, WPA 6640 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

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

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

(Tirthankar Ghosh, J.)