

D/L 197
16.04.2025
Bpg.
ct.no.35

W.P.A.8511 of 2025

**Skan Traders represented by
Mahabir Prasad Shah.**

Versus

The State of West Bengal & Ors.

Ms. Reshmi Ghosh
Ms. Parna Mukherjee.
...for the petitioner.

Mr. Sirsanya Bandopadhyay
Mr. Debopriyo Karan.
...for the State-respondents.

Mr. Siddhartha Lahiri
Mr. D. Chowdhury.
...for the respondent no.4.

Mr. Rishad Medora
Mr. Debraj Dutta
Mr. N. Mallick
Ms. Priyanka Mitra
Ms. Ojasvi Gupta.
...for the respondent nos.5 & 6.

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

Petitioner approached this Court as the
police authorities were not rendering assistance in
respect of the hindrance created by the private
respondents for unloading the goods.

It has been submitted on behalf of the State
that on 13th April, 2025 the unloading has been
effected and finally the petitioner claims that he had
to incur demurrage charges of Rs.16,78,887/-.

Petitioner contends that there has been repeated excesses inflicted at the behest of the private respondent nos.5 and 6 and at the relevant point of time when such excesses are inflicted, the police authorities remain mute spectator.

Learned advocate for the private respondent nos.5 and 6 submits that because they happen to be business rivals, they are falsely implicated with such accusations and since the police authorities do not find any substance in such accusations, no action is being taken by the police authorities.

Having considered presently that the unloading has been completed and only after the petitioner having suffered financially, petitioner would be at liberty to approach the civil court for the damages against the respondents who are responsible for compelling the petitioner to incur such demurrage charges.

With the aforesaid observations, WPA 8511 of 2025 is disposed of.

There will be no order as to costs.

Needless to state that since no affidavits have been called for, the accusations and/or allegations made against the respondents are deemed not to have been admitted.

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.)