

02.07.2025
Item No.3, DL
Court No.17
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 12143 of 2025

**I.A. No. CAN 1 of 2025
CAN 2 of 2025**

**Ramkrishna Vivekaanda Mission & Anr.
-Vs-
Union of India & Ors.**

Mr. Vivekananda Bose,
Mr. Ratikanta Pal,
Mr., Jaydeb Ghorai,
Mr. Suman Chatterjee,
Mr. Diptesh Ghorai.
.....for the petitioners.

Mr. Indrajeet Dasgupta,
Mr. Madhu Jana.
.....for the Union of India.

Affidavit of service filed on behalf of the petitioners be kept with the record.

The writ petition has been brought to the list at the instance of the petitioners for extension of interim order however, by the consent of the parties, it is taken up for final disposal.

The petitioners have been served with a notice under Section 4 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 to show cause against the order of eviction dated May 24, 2025.

The petitioners have challenged the said notice *inter alia* on the grounds that it is defective inasmuch as it is not in the form of notice prescribed under Form 'A' appended to the said Act.

In the earlier round of litigation, similar challenge was thrown to the earlier notice dated January 06, 2025 in WPA 1135 of 2025. The

challenge was not sustained and the said writ petition was dismissed, however in the appeal, MAT 621 of 2025, the order of this Court was set aside and the earlier notice was quashed with a direction to issue a fresh notice under Section 4 of the said Act of 1971.

The impugned notice was issued thereafter but it suffers from the same defect, accordingly the said notice dated May 24, 2025 is set aside and/or quashed.

WPA 12143 of 2025 is disposed of with the above observations without any order as to costs.

This order, however, will not prevent the authorities from issuing a fresh notice under Section 4 of the said Act of 1971 in accordance with law.

In view of the disposal of the writ petition, the connected applications being CAN 1 of 2025 and CAN 2 of 2025 have become infructuous, as such are also disposed of accordingly.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)