

WPA 13137 of 2025

**M/s. Barocks (A unit of M/s. Slush
Hospitality Pvt. Ltd.) & Anr.**

Vs.

The State of W.B. & Ors.

Mr. Dhrubaneel Biswas
Mr. Subhadeep Maitra ...for the petitioners.

Mr. Swapan Banerjee
Mr. D. N. Banerjee ...for the State.

Mr. Sabyasachi Banerjee, Sr. Adv.
Ms. Sreeparna Das
Mr. Pradip Kr. Sarawagi
Ms. Debolina Dey ...for the respondent nos. 6 & 7.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that though they are tenants in respect of the property in question, the private respondents are trying to oust them therefrom illegally and have disconnected their electricity and water supply in the premises. The petitioners primarily seek restoration of the same.

It is also submitted that a complaint lodged by the petitioners before the police authority in this regard has not been taken care of.

Learned counsel for the State submits that the dispute between the parties is civil in nature and the

petitioners ought to approach the appropriate civil forum for redressal.

Learned counsel for the private respondents submits that the petitioners are sub-lessees under the private respondents in respect of the property in question by virtue of an agreement executed by and between them.

Since the petitioners failed to pay water and electricity charges from 2023, the private respondents disconnected their water and electricity supply in 2025 in terms of Clause 3 of the agreement (page 34 of the writ petition). A civil suit filed by the petitioners for declaration of their tenancy rights in respect of the property is pending.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the dispute between the parties appears to be civil in nature.

Since a civil suit filed between the parties is pending, the petitioners are at liberty to take necessary steps before the learned Trial Court for redressal of their grievance.

In the event the complaint lodged by the petitioners has not been considered by the police authority, the petitioners can approach the jurisdictional Magistrate under Section 175 of the BNSS for necessary direction.

The writ petition is accordingly disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)