

15.05.2025

Court No.35
Sl. No.35
Mujahid

WPA 13289 of 2023

**Anushri Ghosh Chowdhury
Vs.
The State of West Bengal & Ors.**

Mr. J. Basu,
Ms. Aparajita Mitra

...for the petitioner

Mr. Ritzu Ghosal,
Mr. Sayantan Chatterjee,
Mr. Anirban Ghosh

...for the respondent nos.4 to 6

Mr. Suddhadev Adak,
Ms. Richa Pramanik

...for the State

Petitioner has prayed before this Court to pass directions upon the private respondents for vacating the petitioner's shop and also for directing the respondent nos.1, 2 and 3 to act in accordance with law. The enclosure to the writ petition reflects that an information was furnished with the Officer-in-Charge, Palashipara Police Station to the effect that the shop room of the petitioner was allegedly occupied by a particular political party and as such, the petitioner approached the police authorities for vacating the same as he would be suffering in respect of his livelihood.

Learned advocate for the State submits that the prayer so advanced cannot be entertained in the present writ petition as the same is absolutely a civil dispute. It has been admitted that civil suit is pending however, the petitioner is not a party to the civil suit.

Learned advocate for the private respondents submit that the predecessor of the petitioner is the plaintiff in the civil suit.

Be that as it may, in view of the nature of the prayer advanced in the writ petition, I am of the view that an alternative remedy is available to the petitioner. Police authorities would act only if the civil court passes direction upon the police authorities.

With the aforesaid observations WPA 13289 of 2023 is disposed of.

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.)