

05
18.09.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION

WPA 19110 of 2025

Uma Kanta Mohanty
Vs.
Union of India & Ors.

Mr. Ranjan Kali.
Mr. Suresh Kumar Sahoo.

... For the petitioner.

Mr. Rajendra Kumar Gupta.
Mr. Gautam Sardar.
Mr. Gautam Malik.

...for the UOI.

1. The petitioner is a licensee in respect of a multi utility stationary and general store Kolkata. The lease and license agreement dated 1st September, 2024 is for a period of eleven months.
2. The period of the lease and license agreement has expired. Prior to the expiry of the agreement, the petitioner was issued a notice of vacation of shop on 17th May, 2025 directing him to vacate the shop by 31st July, 2025 as the shop will be put up in the upcoming auction.
3. The petitioner submits that in the auction there was no taker for the subject shop. The petitioner has already paid rent till the month of August 2025.
4. It has been submitted that the petitioner is holding the shop since 2011 and the petitioner ought not to be directed to vacate the shop room.
5. Learned advocate representing the Union of India denies the submission of the petitioner.
6. It has been submitted that the lease and license agreement with the petitioner has expired. After

expiry, the petitioner cannot be permitted to retain the shop room. The amount paid by the petitioner till August 2025 is merely the maintenance charges and not the rent as claimed by the petitioner.

7. It appears from the documents annexed to the writ petition that the notice of vacation impugned in the instant writ petition is dated 17th May, 2025 and the direction to vacate was by 31st July, 2025. The instant writ petition has been filed on 18th August, 2025.
8. It has been submitted by the learned advocate for the petitioner that in September the authority has visited the shop room and directed the petitioner to vacate the same. There is nothing on record to suggest such action of the authority.
9. In view of the above, the instant writ petition is disposed of by directing that the parties shall take steps in the matter strictly in accordance with law and not otherwise.
10. Affidavit-of-service filed in Court today be kept with the records.
11. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)