

12.09.2025
(D/L 09)
Ct.-17
(Susanta/
Samar)

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

APPELLATE SIDE

W.P.A. 20634 of 2025

Shyam Sundar Parasrampuria

-Vs-

Shyama Prasad Mukherjee Port & Ors.

Mr. Ayan Kumar Boral,

... for the Petitioner.

Mr. Mainak Bose,

Mr. Ashok Kumar Jena,

...for the Respondent Nos. 1-4.

Affidavit-of-service filed on behalf of the petitioner, be kept with the record.

The Port Authority, in execution of an order of eviction passed under Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 has recovered the possession of the subject public premises.

M/s. Burn Standard Company Limited, the respondent no. 5 herein, was the tenant of the said subject Public premises. The petitioner is a second degree sub-tenant.

The petitioner is alleging that though he has been evicted from a portion of the said subject public premises which was under his possession but some of his goods and articles are still lying there. He is praying that he may be permitted to take back those articles.

On behalf of the Port Authority, it is submitted that the petitioner had approached the Estate Officer with the said prayer but the same has been refused, the petitioner has not challenged the said order.

It appears from the record that the Estate Officer, by an order dated July 23, 2025 has refused similar prayer of another second degree

sub-tenant namely Haryana Steel Supply Company Private Limited.

The prayer of the petitioner is entirely misconceived, particularly, in view of the fact that he has not challenged the order of the Estate Officer rejecting his such prayer.

W.P.A. 20634 of 2025 is therefore dismissed without any order as to costs.

Parties to 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 subject to compliance with all requisite formalities.

(Biswajit Basu, J.)