

25
13.11.2025
Ct. No.26
b.das

WPA 24172 of 2025

Srikant Yadav
Vs.
The State of W. B. & Ors.

Mr. Pawan Kr. Gupta
Ms. Sofia Nesar
Mr. Santanu Sett ...for the petitioner.

Mr. Tapan Coomaar Dey
Ms. Shayani Das ...for the State.

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

Heard learned counsels for the parties.

The petitioner alleges that a government vehicle was parked in front of his shop for several days. When the petitioner protested against the same, his shop was raided by the police, the articles including the perishable articles seized from his shop and he was arrested on two occasions in connection with two separate cases lodged against him. He has been released on bail subsequently.

Learned counsel for the State submits that an anti encroachment drive was conducted by the police under the leadership of the Executive Engineer, Borough –VIII of KMC and it was found that the petitioner was storing his grocery items in front of his shop by encroaching upon public road.

The petitioner was arrested and the said items seized. The seized items have been handed over to the petitioner on execution of Zimmanama bond.

The petitioner seeks to carry on his business in the shop room owned by him. He is at liberty to do so subject to condition that he does not encroach any portion of the public road/pavement by storing his grocery items therein.

The petitioner is permitted to unload the items sold from his shop from the vehicles which supply the same. The police authority shall ensure that the petitioner is able to run his business smoothly without any hindrance subject to his compliance with the relevant rules.

The writ petition is disposed of accordingly.

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.)