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jdt. 17.12.2025
jb.

WPA 24718 of 2025
(Jitender Singh Sethi vs. State of West Bengal & Ors.)

Mr. Arif Ali
Hebjur Rahaman
.... For the Petitioner
K. J. Yusuf
Mr. Saurav Chaudhuri
.... For the State

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

Learned counsel for the petitioner submits that the petitioner is a tenant in respect of the shop room in question and leased out the same in favour of one Dinesh Prasad Sharma in 2006. Dispute cropped up between the petitioner and the lessee in 2014 and since then the lessee is not in possession of the shop room. The lease period has already expired. However, the key of the shop room was made over to the police at that time and is lying in the Malkhana under no. 211/14, Muchipara police station.

It appears that an application under Section 145 of the Code of Criminal Procedure was filed by the petitioner against the lessee. By an order passed on 14th September, 2015, the learned Executive and Metropolitan Magistrate, 10th Court, Calcutta observed that the lessee was not able to substantiate his possession in respect of the shop room as on 25th September, 2014. Admittedly the key is still lying in Muchipara police station. Since there is no dispute with regard to the tenancy of the petitioner in respect of the shop room and this Court is informed that no proceeding, either civil or criminal, is pending in respect of the same, the

Officer in Charge, Muchipara Police Station is directed to hand over the key of the shop room in question to the petitioner by 19th December, 2025.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)