

November 26, 2025
(10) ARDR

WPA 25417 of 2025

Green View Clinic Private Limited & anr.
Vs.
The State of West Bengal & ors.

Adv. Niladri Sekhar Ghosh,
Adv. Labani Sikder,
Adv. Souvik Dey,
...for the petitioners.
Adv. Nilanjan Bhattachaya,
Adv. Sudipta Kr. Das,
Adv. Jyotiska Panja,
Adv. Tanmoy Chatterjee,
...for the respondent nos. 6 & 7.
Adv. Sucharita Roy,
...for the respondent nos. 1 to 5.
Adv. Sucharita Roy Bhattacharya,
Adv. Ananya Neogi,
....for the State.

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

Heard learned counsels for the parties.

It is not in dispute that the nursing home in question
was leased out to the private respondents by the petitioners
and the private respondents were made over operational
charges of the nursing home on payment of lease rent. The
petitioners allege that they noticed that the private
respondents were misappropriating the machinery and
other material from the nursing home and were shifting
them to another nursing home run by them, thereby
affecting the patients' services in the nursing home. The
petitioners took charge of the nursing home to ensure
uninterrupted functioning and also lodged complaint before
the police authority in this regard. They engaged security
personnel from a private security agency in the name and

style of “Tiger Security and Dog Service” to ensure safety and security of the nursing home and its patients. The complaint was not accepted by the police. On the other hand, the policy authority broke into the office of the managing director of the nursing home and reinstated the private respondents therein. The petitioners seek a direction upon the police authority to maintain strict vigil in the area and not to interfere with the administrative decisions of the petitioners in respect of the nursing home.

Learned counsel for the State has placed reliance on the report submitted by her and has submitted that two complaints were received by the police on the same day, one by the petitioners and the other by the private respondents. The police has held a preliminary enquiry into the matter and has been investigating the same.

Opposing the allegations of the petitioners, learned counsel for the private respondents submits that the private respondents are lessees in respect of the nursing home and have been paying lease rent regularly. Being encouraged by development and improvement of the nursing home, the petitioners are trying to illegally grab the same with the aid of the police. The private respondents who are doctors are in possession of the nursing home which is running smoothly.

I have considered the rival submission of the parties.

A civil suit being Title Suit no. 1624 of 2025 seeking declaration and injunction in respect of the nursing home in question filed by the private respondents against the

petitioners is pending. The civil dispute between the parties shall be dealt with by the appropriate civil forum. Admittedly the private respondents are operating the nursing home at present. All the documents pertaining to the nursing home are in the name of the petitioners. Therefore the parties are at liberty to take administrative decisions with regard to operation of the nursing home in accordance with law.

The police authority is directed to keep strict vigil in the nursing home and the adjoining area so that the nursing home is run smoothly and no disturbance or panic is caused to the patients or employees therein. They should ensure that no untoward incident takes place and there is no breach of peace and tranquility. However, the police authority shall refrain from interfering with the administrative decisions taken by the parties in respect of the nursing home or operation of the same.

With the aforesaid observation and directions, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)