

17.11.2025

Court No.6
D/L No.28
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

CO 3905 of 2025

**Shri Rakesh Khetriwal
Versus
The Board of Trustee of Syama Prasad
Mookerjee Port & Anr.**

Mr. Biswajit Konar
Mr. Arijit Mahinder

...for the Petitioner

1. The application is not maintainable in the present form. The Estate Officer of Syama Prasad Mookerjee Port Trust, Kolkata initiated an eviction proceeding against the petitioner under The Public Premises (Eviction of Unauthorised Occupants) Act, 1971. At the fag end of the proceeding the petitioner filed several applications with various prayers. The petitioner prayed that the proceeding should be stayed till the final adjudication of the ownership of the premises in question was done. Another application was filed for an opportunity to raise proper defence. A further application was filed for a direction upon the opposite parties to disclose their stand. The Estate Officer did not find any need to keep the matter open for any material purpose. The parties were directed to file comments and reply and the decision was reserved.
2. Unless there is an order by which the petitioner is aggrieved the question of interference does not arise.

That too, an order of the Estate Officer under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, is an appealable order. As yet, the petitioner has not suffered any order of eviction.

3. This Court does not entertain the revisional application as this Court is unable to understand why this application has been filed and how the petitioner is aggrieved. The factual assertions which are sought to be made by the learned advocate for the petitioner should have been made before the Estate Officer. The Estate Officer allowed the parties to file their written notes/ comments/ reply. The petitioner can file the same by incorporating his submissions which are made before this court.
4. Until and unless there is an order passed by the authority, a superior Court cannot look into the veracity of the submissions of the petitioner.
5. Accordingly, the revisional application is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Shampa Sarkar, J.)