

OD-1

ORDER SHEET

WPO/461/2025

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

AJAY RAJ AGENCIES PVT. LTD.
VS
STATE OF WEST BENGAL AND ANR.

BEFORE:

The Hon'ble JUSTICE PARTHA SARATHI SEN

Date : 11th July, 2025.

Appearance:

Mr. Tapas Dutta, Adv.
Mr. Mritunjoy Halder, Adv.
Ms. Atrayee Chatterjee, Adv.
Mr. Anirban Ghosal, Adv.
...for the petitioner

Mr. Biswabrata Basu Mallick, Adv.
Mr. Sayan Ganguly, Adv.
...for the State

1. The writ petitioner and the respondent State and its functionaries are represented by the respective Counsels.
2. At the time of hearing, Mr. Basu Mallick, learned Advocate appearing on behalf of the respondent State has submitted a Memo dated 10.07.2025 as prepared by the respondent No. 2 herein. Let the said Memo dated 10.07.2025 be taken on record.
3. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent No. 2 authority commanding him to remit the deposited amount of Rs.11,13,500/- together with interest to the writ petitioner as has been deposited by the tenant of the present writ petitioner with the office of the respondent No. 2 authority.

4. At the time of hearing, Mr. Dutta, learned Advocate appearing on behalf of the petitioner draws the attention of this Court to the copies of the various challans as has been annexed to the instant writ petition. It is submitted by Mr. Dutta, from the said challans it would reveal that on and from March, 2014 till January, 2025 rent was deposited by the tenant of the writ petitioner in the office of the respondent No. 2 authority to the credit of the writ petitioner being the landlord. It is submitted that despite submission of representation by the writ petitioner, the respondent No. 2 authority has failed and neglected to disburse the said deposited amount of rent to the writ petitioner.
5. Per contra, Mr. Basu Mallick, learned Advocate draws the attention of this Court to the report as filed today.
6. It is submitted by Mr. Basu Mallick, from the report it would reveal however that it has been categorically indicated by the respondent No. 2 authority that in order to get the deposited rent in his account, the writ petitioner has to comply with certain formalities as has been mentioned in page No. 4 of the report. It is submitted by Mr. Basu Mallick in the event, the formalities as have been mentioned in the instant report, are complied with, there cannot be any predicament on the part of the respondent No. 2 authority to credit the entire deposited rent amount to the account of the writ petitioner.
7. After careful consideration of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties, this Court while disposing the instant writ petition grants liberty to the writ petitioner to submit the

application for withdrawal of the rent before the respondent No. 2 authority, in accordance with the provision of West Bengal Premises Tenancy Rules, 1999, preferably, by following the procedure as has been mentioned in page No. 4 of the report as filed today.

8. Upon compliance of the formalities of the aforementioned Rules of 1999, the respondent No. 2 authority shall take appropriate steps for immediate disbursement of the rent as has been deposited in his office to the credit of the writ petitioner soon thereafter.
9. The entire exercise as indicated in the foregoing paragraph is to be completed by the respondent No. 2 authority within 120 working days from the date of communication of the server copy of this order and/or compliance of all formalities by the writ petitioner, whichever is earlier.
10. Liberty is given to the learned Advocate for the writ petitioner to communicate the server copy of this order to the respondent No. 2 authority.
11. Respondent No. 2 authority is hereby directed to act on the server copy of this order.
12. With the aforementioned observations, WPO/461/2025 is disposed of.

(PARTHA SARATHI SEN, J.)