

S/L 18
24.06.2026
Court. No. 25
suvayan

WPA 11437 of 2026

For your Resque Private Limited & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Kishore Datta, Sr. Adv.
Mr. Soumen Mohanty
Mr. Ayan Poddar
Mr. Soham Dutta
Ms. Syed Kishwar
Mr. Prasenjit Mitra
Mr. Ayan Hassan Ahmed

...for the petitioners.

Mr. Indrajit Roy Choudhury
Ms. Sudipa Banerjee
Mr. Rhitam Chatterjee

...for the State.

1. The report filed by the State be kept with the record.
2. The petitioners have filed the present writ application challenging the impugned order dated May 15, 2026 passed by the Director General, West Bengal Fire and Emergency Services under Section 37A(1) of the West Bengal Fire Services Act, 1950 directing the petitioners to vacate and to remove the inmates of the building along with the belongings immediately, until the building is secured from the fire safety point of view, as per the existing rules.
3. When the petition was moved, this Court by an order dated May 16, 2026 has stayed the operation of the order and of the view what are the materials available before the respondent no. 2 for passing impugned order are required to be considered by this Court on the next date fixed.

4. When the matter was taken up today, learned counsel for the State has submitted the report but after going through the report, this Court did not find whether the building was inspected, whether any opportunity of hearing was given to the petitioners or any procedure was followed.
5. This Court finds that before passing the impugned order, no opportunity was provided to the petitioners. Accordingly, the impugned order is set aside.
6. If the respondent authorities are intending to take any action against the petitioners for violation in respect of the said building, the respondent authorities shall proceed the same against the petitioners in accordance with law after giving an opportunity of hearing to the petitioners.
7. WPA 11437 of 2026 is disposed of.
8. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)