

09.01.2026  
rc/ct.no.05  
Item No.06

**WPA No. 24923 of 2025**  
**Achinta Kumar Mondal**  
**Versus**  
**The State of West Bengal & Ors.**

|                         |                      |
|-------------------------|----------------------|
| Mr. Dilip Kumar Shyamal |                      |
| Mr. Gourab Ghosh        |                      |
| Mr. Pratap Kumar Yadav  | ..for the Petitioner |
|                         |                      |
| Mrs. Sabnam De Bardhan  |                      |
| Mr. Arindam Mitra       | ....for the State    |

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

None appears for the private respondents despite service.

Learned counsel for the petitioner submits that the petitioner leased out the property in favour of the private respondents by virtue of a deed of lease. The private respondents stopped paying lease rent from May, 2016 and are not carrying on their business in the property at present. However, they have left behind several material therein and have not handed over the possession of the same to the petitioner. The petitioner lodged a complaint before the police authority seeking removal of the mobile tower equipments and machinery from the property in question.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner, investigation was held and final report submitted.

Upon consideration of the submission made on behalf of the parties this Court is of the view that since the petitioner seeks recovery of possession of the property in question by removal of the articles lying therein, he is at liberty to approach the appropriate forum for redressal of his grievance.

In the meantime the police authority shall keep strict vigil in the area in order to avoid any untoward incident and shall ensure maintenance of peace and tranquility.

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 writ 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)**