

**W.P.A. 7124 of 2020
(CAN 1 of 2020)
(Via Video Conference)**

**Bibekananda Pal
-vs-
State of West Bengal & Ors.**

**Mr. Asis Bhattacharyya.
...For the Petitioner.**

**Mr. Sandip Prasad Shaw.
...For the Respondent
Nos. 6 to 11.**

**Mr. Bibek Jyoti Basu,
Mr. Subratra Ghosh.
...For the State.**

The grievance of the petitioner is that he is not being able to make construction at his premises in view of the damage suffered during the Amphan Cyclone.

The petitioner submits that he has received funds under the scheme of the Pradhan Mantri Griha Awas Yojana to construct the premises but the private respondents are not permitting him to do so.

The learned advocate appearing for the State vehemently opposes the prayer of the petitioner and submits that this is a misconceived and frivolous petition which has been filed with an ulterior motive. There is no record to show that any public element is involved in this writ petition.

The learned advocate appearing for the private respondent Nos. 6 to 11 submits that they are co-owners and there is no damage which has been caused

to the premises. He further submits that there are no documents annexed to show that the petitioner has received any funds from the Pradhan Mantri Griha Awas Yojana.

I have heard the parties and considering the pleadings filed on behalf of the petitioner, I am of the view that the writ petition has been filed to wreak personal grievances and disputes between the petitioner and the private respondents. There is no element of public law involved in the writ petition and admittedly the petitioner is a co-owner and is living in the premises along with the other co-habitants.

In the circumstances, I am of the view that the writ petition is meritless and has been filed with an ulterior motive.

W.P.A. 7124 of 2020 is dismissed.

However, there will be no order as to costs.

(Ravi Krishan Kapur, J.)