

30.07.2021
rc/ct.no.10
Item No.15

WPA No. 3095 of 2021
Golam Mostafa Sahaji
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Md. Younush Mondal ...for the petitioner

Mr. Pantu Deb Roy
Mr. Chandi Charan De
Mr. Pannalal Bandyopadhyay ...for the State

The grievance of the petitioner is based on an apprehension that his premises is sought to be acquired by the State respondents. It is alleged by the petitioner that he has come to learn that the State respondents are trying to extend the By-Pass road without due process of law. On this basis the petitioner has filed this writ petition primarily restraining the State respondents from acting without due process of law.

Mr. Deb Roy, Advocate appearing on behalf of the State respondents submits that the entire case of the petitioner is based on surmises, conjectures and apprehension. Thus, the instant writ petition is premature.

I have heard the parties. I am of the view that the entire case of the petitioner is based on mere apprehension and conjectures and there is no threat of any acquisition of the petitioner's premises at this stage.

Accordingly, WPA No. 3095 of 2021 is disposed of.

However, liberty is granted to the petitioner to avail of his remedy in accordance with law if the need so arises at the appropriate stage, if necessary.

(Ravi Krishan Kapur,J)