

December 14, 2021
Item No.18
Court No.1
SG/s.biswas

WPA (P) 331 of 2021

Sunil Khatua and others

vs.

The State of West Bengal and others

(Through Video Conference)

Mr. Satadal Sovan Halder, Advocate

..for the Petitioners

Mr. Anirban Ray, Id. Govt. Pleader

Mr. T. M. Siddiqui,

Mr. Nilotpal Chatterjee, Advocates

..for the State

This public interest litigation has been filed by the petitioners seeking a direction to the respondent Nos.5 and 6 not to dig earth from the petitioners' *raiya* landed property.

The petitioners have filed the petition pleading that they are the recorded owners in possession of the landed property described in paragraph 2 of the petition and that the respondent Nos.5 and 6 have called the tenders for excavating earth from the Khirai Boxi Khal by engaging the contractors and they are illegally digging earth from the petitioners' land.

The grievance which is raised by the petitioners in this PIL is of personal nature. Therefore, a public interest litigation cannot be maintained for personal cause.

Hence, this petition is dismissed with liberty to the petitioners to raise the grievance in appropriate proceedings in accordance with law.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]