

Item No. 41

22.08.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 3886 of 2022

Eklakh Qureshi
v.
The State of West Bengal & Ors.

Mr. Narayan Chandra Mondal
Ms. Mousumi Chatterjee
Ms. Muslina Begum
... for the petitioner.

Ms. Pampa Dey(Dhabal)
... for the respondent no. 5.

Mr. Anubrata Santra
... for the State.

Mr. Raghunath Chakraborty
Mr. M.Ahmed
... for the Municipality.

The petitioner alleges illegal and unauthorized construction at the instance of the respondent no. 5.

Learned advocate representing the respondent no. 5 submits that the construction was being made in accordance with the plan sanctioned Vide No. 517 of 2019-20.

The specific allegation of the petitioner is that the private respondent is making construction by encroaching upon his private land.

The Municipality is not the proper forum to decide the issue of encroachment.

In the event, any construction is made by the private respondent no. 5 by encroaching the private land of the petitioner, it will be open for the petitioner to approach the appropriate forum for redressal of his grievance.

No further order can be passed in the present writ petition.

The writ petition stands disposed of.

Instruction given by the Officer on Special Duty, Maheshtala Municipality dated March 15, 2022 be retained with the records.

Affidavit-of-service filed in Court today is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(Amrita Sinha, J.)