

11.08.2022
Ct. 5
D/L 28
ab

WPA 5907 of 2022

M/s. Benchmark Developers & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Aman Guupta,
Mr. Ishan Bhattacharya

... for the petitioner

Mr. Chayan Gupta,
Mr. Sandip Dasgupta,
Mr. S. Siddiqui,
Mr. Aviroop Mitra

... for the WBHIDCO

Mr. Sirsanya Bandopadhyay,
Mr. Arka Kumar Nag,
Mr. Tirthankar Dey

... for the Bidhannagar Municipal Corporation

Mr. Pantu Deb Roy,
Mr. Anand Farmania

... for the State

Mr. Manish Ray

... Special Officer

The Report of the learned Special Officer, appointed by the order dated 11th July, 2022, is filed in Court today.

The Report indicates that the joint inspection was taken by both the petitioners and the respondents in presence of the learned Special Officer. The Report states that the parties have mutually agreed that the

length of the pathway to be used as ingress and egress through plot no. 565 would measure around 33 meters and the breadth of the said pathway would be around 11 meters. The Report also states that the respective parties have assured the learned Special Officer that the dispute between them has been amicably resolved. A copy of the Field Report dated 29th July, 2022 is also a part of the Report.

Learned counsel for the parties are present.

After perusing the Report, nothing remains to be decided in the present writ petition. The point taken on behalf of the learned counsel appearing for the petitioners that the 'access fee' is too high, is not a part of the prayers made in the writ petition. This point was also not taken by the petitioners at the time of moving the writ petition.

WPA 5907 of 2022 is accordingly disposed of in terms of the Report filed by the learned Special Officer and the position taken by the parties.

(Moushumi Bhattacharya, J.)