

Item No. 8

26.07.2022  
Ct-24

In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

WPA 10636 of 2022  
Basanta Kumar Sanojbasini Memorial Education  
Society  
v.  
The State of West Bengal & Ors.

Mr. Partha Sarathi Deb Barman  
Mr. M. Nazar Chowdhury  
... for the petitioner.

Mr. Manoj Malhotra  
Mr. Sanjib Das  
... for the State.

Mr. Narayan Chandra Ghosh  
... for the respondent no. 4.

Mr. Mir Anuruzzaman  
... for the Municipality.

The petitioner prays for a direction upon the Rajpur Sonarpur Municipality to supply the newly sanctioned plan in respect of the building constructed over Mouza-Baikunthapur, Panganea-Medanmolla, J.L. No. 37, R.S. Khatian No. 110, Touzi No. 251, R.S. Dag No. 2562, R.S. Khatian No. 129, Police Station-Sonarpur within the jurisdiction of Ward No. 14 of Rajpur Sonarpur Municipality, Holding No. 201, Vivekananda Road, District-South 24 Parganas.

The petitioner has also prayed for a direction upon the Municipal authorities to confirm whether there is

any common passage of six feet width from the Municipal road to the building in question or not.

Learned advocate representing the Municipality submits, upon instruction that, without the details of the plan the Municipality will not be in a position to furnish any copy of the same.

Learned advocate for the petitioner submits that the details are not available with his client.

Learned advocate representing the respondent no. 4 submits that the original plan is lying with the writ petitioner and the respondent no. 4 does not have the original plan.

It appears from the submissions made on behalf of the parties that there are several disputed question of facts involved in the matter and none is aware with regard to the existing original plan of the building.

The Municipality is not in a position to provide a copy of the plan without the details being supplied.

In view of the above, the instant writ petition cannot be held to be maintainable.

The writ petition fails and is hereby dismissed.

The parties will be at liberty to agitate their grievances before the appropriate forum, in accordance with law, if so advised.

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

**(Amrita Sinha, J.)**