

06.09.2022.
Court No.13
Item No. 24
ap

W.P.A. No. 12593 of 2022

**Avijit Biswas
Versus
The State of West Bengal & Ors.**

Mr. Soubhik Mitter,
Ms. Rajnandini Das,
Ms. Arushi Rathore.

...For the petitioner.

Mr. Subhabrata Datta,
Mr. Banibrata Datta.

...For the State.

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

The petitioner's Water Park was illegally shut
down. He approached this Court by way of a writ
petition being W.P. No. 21802 (W) of 2019, where a Co-
ordinate Bench of this Court has held that the action
of the respondent is illegal vide judgment dated 4th
March,2020.

Liberty was also given to the petitioner to seek
compensation for illegal deposit of the Water Park.

Pursuant thereto, the petitioner has raised a
claim of Rs.1.5 crores against the respondents in a
representation.

Claims towards unliquidated sums of money
and those not admitted and rights in respect of which
sums have not crystallized, cannot be allowed or

entertained under Article 226 of the Constitution of India.

The remedy of the petitioner is before an appropriate Civil Forum, which may be agitated strictly in accordance with applicable laws.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)