

ML 34
06.12.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 14098 of 2021

**Sri Madhusudan Kundu @ Madhu Kundu
-versus
The State of West Bengal & Ors.**

**Mr. Partha Pratim Roy,
Mr. Dyutiman Banerjee.
...For the Petitioner.**

**Mr. Himadri Sikhar Chakraborty,
Mr. S.T. Mina.
...For the State.**

**Mr. Usof Ali Dewan,
Mr. Asif Dewan.
...For the Respondent
Nos. 3 and 4.**

Learned advocate for the respondent nos. 3 and 4 submits that he has filed Vakalatnama in the department vide filing No. A-20334 dated 19th September, 2022. The department is directed to tag the same with the records.

The allegation of the petitioner is that the Jangipur Municipality was taking steps to lay pipelines under the private land of the petitioner.

The petitioner made a representation before the Municipality and alleges that the same has not been taken up for consideration till date.

Learned advocate appearing for the Municipality has produced a copy of the order communicated to the petitioner by the Chairperson of the Municipality in February, 2021 clearly mentioning that his representation dated 27th August, 2021 (P-7 of the writ petition) was considered.

A field enquiry was conducted on 31st August, 2021 when it was found that neither the municipal authority installed pipeline nor the Municipality is making any road on the petitioner's land.

The Municipality was of the opinion that the allegations are totally vague, baseless and frivolous.

The petitioner received the said order after filing of the writ petition.

From the materials made available before this Court, the allegation of the petitioner remains unsubstantiated.

Accordingly, no relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

The communication dated 18th November, 2021 made to the petitioner by the Municipality be retained with the records.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)