

29.03.2022  
Court No.13  
Item No.58  
AP

**WPA 16065 of 2021**

**Ramalingam Krishnamurthi  
Vs.  
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Kallol Basu  
Mr. Samik Sarkar

... For the petitioner.

Mr. Arun Kumar Upadhyay

... For the respondent No.9.

Mr. Raja Basu Choudhury  
Mr. Asif Hussain  
Mr. Shayak Mitra  
Mr. Abhijit Sarkar

... For the respondent Nos.10 to 12.

Supplementary affidavit and exception to the report filed in Court today be kept with the record.

The writ petitioner is one amongst 670 residents of a housing complex. His grievance is that in the year 2019, the fire service authority had issued a communication to the society indicating certain defects. A joint inspection was later conducted by the KMC, West Bengal Fire Services Department and alleged defects in the construction are stated to have been pointed out. The petitioner alleges that the promoter of the building is required to be held responsible for the defects in the construction.

This Court notices that the petitioner's grievance is primarily directed against the private respondent promoter. This Court also notices that the

petitioner has not approached the Court from the year 2019, for more than two years.

In the above facts and circumstances of the case, and considering the fact that the petitioner is one amongst 670 residents of that building, the writ petition is disposed of without any further order.

The remedies of the petitioner against the private respondent may be agitated in an appropriate civil forum, subject to limitation.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**