

S/L 21
16.03.2022
Court. No. 19
GB

W.P.A. 16901 of 2021

Sanjib Mishra
VS
The State of West Bengal & Ors.

Ms. Rita Patra.

...for the Petitioner.

*Mr. Manas Kundu,
Mr. Debabrata Mondal.*

...for the State.

*Mr. Koushik Chatterjee,
Mr. Nilanjan Adhikari,
Ms. Tarunika Pal.*

...for the Respondent No.7.

The writ petition lacks pleadings with regard to the allegation of unauthorized construction. It has been pleaded that the respondent no.8 has made unauthorized construction on a plot of land situated at Mouza-S.D. Kumarpar. Neither the plot of the petitioner nor the plot over which the allegation of unauthorized construction has been made, has been described in the writ petition. The allegations are vague without material particulars.

Thus, on the ground of lack of pleadings, the writ petition is not entertained.

The petitioner is entitled to approach the municipality in future with better particulars and substantiate the allegations. If such application is made, the municipal authorities shall act and proceed in accordance with law.

Vague and omnibus allegations against a private individual without any foundation or basis, cannot be entertained either by the municipality or by the writ Court.

Neither the municipality nor the Court cannot go on a roving enquiry to find out the exact location of the alleged unauthorized construction.

Accordingly, the writ petition is disposed of.

All parties are directed to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)