

11 23.08.2022

gd/ssd

WPA(P)/356/2022
ALEYA BEGAM
VS
UNION OF INDIA AND ORS.

Mr. Souri Ghosal,
Mr. Prasayun Mukherjee,
Mr. Prabhat Kumar Singh

..for the Petitioner.

Ms. Debjani Ghosal

..for the Union of India.

Mr. Lalit Mohan Mahata

..for the Respondent No.2.

Mr. Sankar Paul,
Mr. Imteyaz Ahamed,
Ms. Tapati Sarkar

..for the Respondent No.4.

Affidavit of service filed by the petitioner is taken on record.

The allegation of the petitioner is that the respondent no.4 is setting up a petrol pump at Mouza Subsit under Bagnan Police Station of Howrah within Khatian No.2762 and 2893, Dag No.2057/2581 and that over the said property 11,000 and 33,000 Volts High Tension Electric Lines are running, therefore, setting up of the petrol pump is in violation of Clause (h) of the Advertisement, annexure "P-2", issued by the respondent no.3 i.e. Indian Oil Corporation.

Learned counsel appearing for the respondent no.4 has submitted that there is no violation of the alleged advertisement.

In spite of the service of notice, no one is present for the respondent no.3 i.e. Indian Oil Corporation.

The record also reflects that the petitioner has straightway filed the present public interest petition without raising the grievance before the competent authority.

Learned counsel for the State submits that the grievance raised by the petitioner can be looked into by the respondent no.2 i.e. District Magistrate, Howrah.

Hence, we dispose of the present petition granting liberty to the petitioner to file the appropriate representation before the respondent no.2, who, on receipt of the same, will duly consider the grievance of the petitioner in accordance with law after giving an opportunity of hearing to all the concerned parties.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

