

05.04.2022
Court No. 19
Item no.04
CP

W.P.A. No. 20985 of 2021

Asoke Sawoo

Versus

Dhanyakuria Gram Panchayat & Ors.

Mr. Abhrajit Mitra, Sr. Advocate

Mr. Suchayan Banerjee

Mr. Souradeep Banerjee

Mr. S.K. Banerjee

...for the petitioner.

Mr. Lalit Mohan Mahata

Mrs. Sutapa Sanyal

....for the State.

Mr. Subrata Goswami

....for the respondent nos. 2 and 3.

The supplementary affidavit is taken on record.

The petitioner has sought leave to file a supplementary affidavit in order to bring on record certain documents which are relevant for adjudication.

The challenge in the writ petition is the proposed inclusion of premises, namely, Sawoo Palace situated at Dhanyakuria Village, Basirhat, Plot No. 454, 455, J.L. No. 07 in Mouza – Dhanyakuria in the heritage list pursuant to the notification bearing reference no. 195/N1/WBHC/2008-09 dated December 6, 2021. The petitioner challenged the proposal for inclusion

of the property in the heritage list on the ground that in the absence of proper regulations and without any clarity or transparency as to the procedure adopted by the West Bengal Heritage Commission in proposing to include the property in the list of heritage properties, such proposal was arbitrary and irrational.

Mr. Goswami, learned advocate appearing on behalf of the West Bengal Heritage Commission has filed a resolution adopted in the meeting dated February 8, 2022. From the said resolution it appears that Sawoo Palace, which is the subject matter of this writ petition, has been excluded from the said proposal, by the commission. He submits that such decision was taken upon considering the pendency of the cases before this court.

Under such circumstances, the grievance of the petitioner has been met. At this stage, nothing survives to be decided in the writ petition.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

The copy of the resolution adopted by the West Bengal Heritage Commission in the meeting dated February 8, 2022 is taken on record.

This order is restricted to the premises, namely, Sawoo Palace and the court has not expressed any opinion with regard to the notification.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)