

21.11.2022

WPA(P) 462 of 2022

**Sudarshan Jana
Vs.
The State of West Bengal & Ors.**

Ms. Priyanka Mondal

... .. for the petitioner

Mr. Jahar Lal De

Mr. Supratim Dhar

... .. for the State

Mr. Timir Baran Saha

... .. for the respondent no.12

The allegation in this public interest petition is that the private respondent has raised construction encroaching upon the government land, as a result of which a busy road at a market place has narrowed down. Further allegation is that there are two adjacent schools and the action of the respondent has made the area as accident prone. The details of land are disclosed in the petition.

Learned counsel for the State has produced the joint inspection report disclosing that the land in question is not an acquired land and that the godown in question is not on the government land or road and it does not hamper ingress and egress of the general public.

Submission of learned counsel for the petitioner is that after the aforesaid report the petitioner had again made a request to the Assistant Engineer (Roads), Basirhat Highway Sub Division who has written to the B.L. & L.R.O., Sandeshkhali-I to enquire into the matter.

One joint inspection report has already been placed

on record which reveals that the allegation made by the petitioner in the present PIL is not substantiate. No material has been pointed out by the learned counsel for the petitioner to show that any construction has been raised on the government or acquired land.

Therefore, at this stage we do not find any ground to entertain the present PIL. However, if on fresh enquiry any contrary report comes which supports the petitioner's plea then it will be open to the petitioner to approach this Court again.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)