

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 8042 of 2023

**Sk. Ruhul Amin
-versus
The Dankuni Municipality & Ors.**

**Mr. Subham Ghosh,
...For the Petitioner.**

**Mr. Santanu Kumar Mitra,
Mr. Amartya Pal.
...For the State.**

**Mr. Arun Naskar
... for the respondent no. 6 to 8.**

**Mr. Sauradeep Dutta
Mr. Riju Bhowmick
Ms. Mina Biswas
... For the Municipality.**

Perused the report filed by the Dankuni Municipality.

It appears that spot inspection was conducted upon giving prior notice to all the necessary parties. The side open spaces maintained at the time of raising construction are recorded in the report.

On a perusal of the measurements, the Court is not convinced with the submission of the petitioner that the side open spaces have not been properly maintained by the private respondents. The encroachment of the mandatory side open spaces appears to be negligible.

In view of the above, no relief can be granted to the petitioner in the instant writ petition.

Report filed by the Dankuni Municipality be retained with the records.

The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)