

W.P.A. 7696 of 2012

**Santo Gopal Ghosh & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Anindya Lahiri
....for the petitioners
Mr. Sirsanya Bandopadhyay
Mr. Tirthankar Dey
Mr. Arka Kumar Nag
.....for the BMC

The writ petition is taken up for consideration in presence of the learned advocates representing the petitioners and Bidhannagar Municipal Corporation being the principal respondent.

Mr. Anindya Lahiri, learned advocate representing the petitioners submits that petitioner no. 1 has died in the meantime. Therefore, leave is granted to the learned advocate for the petitioners to amend the cause title and expunge the name of the petitioner no. 1 in course of this day. However, Mr. Lahiri is representing the writ petitioner no. 2 and submits that the present writ petition was triggered after the construction was started on green verge which was contiguous to plot no. BE-358, Sector-I, Salt Lake City, Kolkata.

At the motion stage a coordinate Bench passed an order dated 11th May, 2012 recording that the alleged construction work was stopped at the instance of Bidhannagar Municipal Corporation as a result whereof the

coordinate Bench did not find it necessary to pass any interim order.

It has been jointly submitted by the learned advocates representing the petitioners and Bidhannagar Municipal Corporation that situation remains unaltered from the date the order was passed by the coordinate Bench on 11th May, 2012 and no further construction work has been carried out by Bidhannagar Municipal Corporation.

It appears from the submissions made on behalf of the learned advocates representing the parties that construction which was proposed to be made on the green verge has been abandoned. Such situation is also corroborated from the facts that from the month of May, 2012 till date there is no further progress with regard to such construction.

In view of aforesaid situation it appears that the grievance of the petitioner stands redressed.

Accordingly, the writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)