

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA 16575 of 2007

**Saiful Islam & Ors.
Vs.
The State of West Bengal & Ors.**

Item No.11.

Heard & Judgment on: 19.06.2023

Bibek Chaudhuri, J.

The petitioners challenged the alleged illegal and arbitrary act on the part of the Public Works Department, Berhampore, Murshidabad on the allegation as to whether change of site of construction of the proposed bridge and approach road from the previous area to the present one has been done by colourable exercise of power and with mala fide intention by ignoring hardship and suffering of the local people as a whole knowing fully well that the entire area of land of the earlier site was acquired for construction of the bridge and a foundation was laid in front of the said construction.

It appears from the record that the bridge has already been constructed in the new site. Moreover, the prayer of the petitioner is in the nature of public interest litigation but the petitioners on their personal capacity filed the instant writ petition without any averment that they are the public stipulated persons and for the interest of the people of a particular locality they have filed the instant writ petition. The petitioners never appeared after filing of the writ petition. It is pending since 2007.

Therefore, the instant writ petition is dismissed.

(Bibek Chaudhuri, J.)