

07.08.2023  
Item No.8  
gd/ssd

WPA(P)/416/2023  
TUMPA BALA & ORS.  
VS  
THE STATE OF WEST BENGAL AND ORS.

Mr. Sirsanya Bandopadhyay,  
Mr. Tirthankar Dey,  
Mr. Arka Kr. Nag  
..for the Corporation.

1. None appears for the petitioners.

2. The petitioners by way of public interest litigation seek for a direction upon the respondents not to carry on any work of demolition in respect of the building of the club, namely, Aditya Smriti Sangha located at Nayapatty, Salt Lake, Sector-V, Kolkata-700102, Ward No.28 of the Bidhannagar Municipal Corporation.

3. Admittedly, the petitioners are the third parties. The persons, who have formed the club, are not before the court.

4. Thus, it appears that the petitioners are attempting to canvass the case of the third parties from the annexures to the writ petition, we find that there is another writ petition filed by one Joydeb Naskar in WPA 8850 of 2022 wherein the petitioners had sought to set aside a notice issued by the Bidhannagar Municipal Corporation dated 2<sup>nd</sup> May, 2022 wherein the

petitioners therein were intimated about demolition action. The writ petition was dismissed against which MAT 1666 of 2022 was filed which was also dismissed.

5. In the light of the said factual position, we cannot entertain this public interest litigation.

6. Accordingly, the writ petition is dismissed.

**(T. S. SIVAGNANAM)**  
**CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**