

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

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

WPA 15502 of 2012

**Smt. Indira Kar & Anr.
Vs.**

The State of West Bengal & Ors.

**For the petitioner : Mr. Saurabh Guha Thakurata,
Ms. Nilanjana Sarkar**

Judgement on : 04.09.2023.

Bibek Chaudhuri, J.

By virtue of a registered deed of sale dated 6th June, 2001, the petitioners purchased a piece of land measuring about 2 decimal in plot No.1281 and 1 decimal of land in plot No.1281/1590, total being 3 decimal of land in Mouza-Baghmundi in the district of Purulia.

It is the case of the petitioners that the said land of the petitioners is situated adjacent to the State highway and the respondent No.7 tried to make a construction of a passengers shed and a pay toilet immediately in front of the land of the petitioners without leaving any space.

It is the case of the petitioners that if such passengers shed and pay toilet are constructed, there will not be ingress and egress to the

land of the petitioners which they purchased for residential purpose in order to construct a house. It is also contended on behalf of the petitioners that there is no bus stand near the subject land but the respondent No.7 is determined to construct passengers shed and pay toilet at the spot.

None appears on behalf of the respondents in spite of the notice. The writ petition is pending since 2012. Therefore, considering the case of the petitioners, I dispose of the instant writ petition with the following order.

The respondent No.7 will not make any construction of passenger shed and pay toilet in front of the land of the petitioners obstructing their ingress and egress. If any such passengers shed or pay toilet are required to be constructed by the respondent No.7, they are at liberty to construct the same in some vacant land without obstructing ingress and egress of the petitioners and other land owners of the locality.

The instant writ petition is, thus, disposed of with the above order.

There shall be no order as to costs.

(Bibek Chaudhuri, J.)

**Mithun.
A.R. (Ct).
SI No.85.**