

28.08.2023
Item No.11
gd/ssd

WPA(P)/449/2023
SANAT KUMAR AND ORS.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Dibyendu Chatterjee,
Mr. Pritam Majumdar
..for the Petitioners.

Mr. Biswabrata Basu Mallick,
Mr. Amritalal Chatterjee
..for the State.

Mr. Sougata Mitra,
..for Purulia Municipality.

Mr. Aryak Dutt,
Mr. Raj Mohan Chattoraj,
Mr. Anand Agarwal
..for the Respondent No.19.

Mr. Srinjoy Das,
Mr. Kiron Roy,
Ms. Sanjukta Mukherjee
..for the Respondent Nos.21 to
24 and 26.

1. After considering the submissions made on either side and taking note of the facts, more particularly that 6th writ petitioner had filed a suit against the 19th respondent/company in respect of the very same property and also taking note of the submission of the learned advocate for the 19th respondent that the petitioners 1 to 5 are residing 40 kilometers away from the land in question, we find that the writ petition is not a genuine public interest litigation. Furthermore, the 6th writ petitioner has filed

a suit in TS No.332 of 2022 before the Civil Judge (Junior Division), Purulia and we are informed that the 6th writ petitioner was unsuccessful in obtaining an order of interim injunction against the 19th respondent as the prayer was rejected by the civil court by order dated 23.12.2022.

2. Thus, we are not inclined to entertain this writ petition as a public interest litigation.

3. Consequently, the writ petition stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)