

11-01-2023
ct no. 13
Sl.31
sp

WPA 21902 of 2022

Sk. Azizul & Ors.

-Versus-

The State of West Bengal & Ors.

Mr. R.I. Sardar

....for the petitioners

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Mr. D. Ganguly,
Mr. Kaustav Bhattacharya

...for the respondent nos. 5 and 6

The petitioners complain that a club has demanded sums of money to enable them to construct over a plot of land given to them by the State Government through Howrah Improvement Trust. The land was given for the purpose of construction of Kona Express Way.

The petitioners were required to effect construction within three years of the grant of land. Counsel for the petitioners submits that at the time of construction on the land, the private respondents demanded money.

Counsel for the private respondents submits that they are the members of the club which is existing for more than 50 years thereat. He also submits that they have never obstructed the petitioners in effecting any construction.

In view of the undertaking given, the petitioners shall be entitled to effect construction, within the scope and extent of his land, subject to formal sanction afresh by the Howrah Improvement Trust. The terms and conditions of allotment of the land of the petitioners have been complied with.

Upon receipt of clearance, however, from the HIT, if there is any obstruction to the construction of the petitioners' land, the Officer-in-Charge, Jagacha Police Station, Howrah shall render all necessary assistance to facilitate the construction as directed hereinabove.

With the aforesaid observations, the instant writ petition shall stand disposed of.

Since no affidavits have been filed by the respondents, the allegations made in the writ application shall not be deemed to have been admitted.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)