

16.10.2023
Item No.8
gd/ssd

WPA(P)/547/2023
JATIYATABADI AYINJIBI COUNCIL AND ANR.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sandip Ray,
Ms. Paramita Dey
..for the Petitioners.

Sk. Md. Galib,
Mr. Abu Siddique Mallik
..for the State.

Mr. Sirsanya Bandopadhyay,
Mr. Arka Kumar Nag,
Mr. Tirthankar Dey
..for BMC.

Mr. Soumyajit Bhatta
..for the Respondent No.16.

1. By way of public interest litigation the petitioners allege that the private respondent has illegally put up construction in a water body without any sanctioned plan or without any approvals. Reference was made to a stop work notice which was issued by the Bidhannagar Municipal Corporation.

2. It is submitted that none of the representations given by the petitioners were considered and the construction is still proceeding which prompted the petitioners to have approached this court.

3. The learned counsel appearing for the Bidhannagar Municipal Corporation submitted that

after the representation was received from the petitioners the developer was put on notice to produce the documents before the Municipal Corporation which was complied with and the documents were produced and they were verified and thereby the Municipal Corporation has withdrawn the stop work notice.

4. The learned advocate appearing for the private respondent submitted that the private respondents are in possession of appropriate orders passed by the competent authority effecting conversion of the land in question.

5. In the light of the subsequent developments, the prayer sought for in this writ petition cannot be granted. However, it is still open to the petitioners to work out in the remedies.

6. Accordingly, the writ petition stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)