

20.11.2023
Item No.6
gd/ssd

WPA(P)/553/2023
IA NO: CAN/1/2023

RAJIB KUMAR ACHARYYA
VS
STATE OF WEST BENGAL AND ORS.

Mr. Arka Bhattacharya,
Mr. Banshi Badan Maity,
Mr. Gautam Malik
..for the Petitioner.

Mr. Subha Pathak,
Mr. Bhaskar Bhattacharya
..for the Intervenor.

1. By way of this public interest litigation the petitioner seeks for a direction upon the authorities to install or set up a new submersible pump in the area in question.

2. Learned advocate appearing for the intervenor submitted that civil proceedings were initiated and decree has been passed in a title suit. Apart from that, there is also a writ petition, namely, WPA 15364 of 2023 pending before the learned Single Bench.

3. Considering these facts, this writ petition cannot be entertained as a public interest litigation.

4. Accordingly, the writ petition stands dismissed.

5. However, it will be open to the writ petitioner to intervene in the writ petition which is pending before this court, if so advised.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)