

16.06.2023.
Item No. 951.
Court No. 300
ap

W.P.A. No. 26082 of 2022

**Sunil Chowdhury
Versus
The State of West Bengal & Ors.**

Mr. Sunny Nandy,
Mr. Purnendu Maity,
Mr. Tamal Singha Roy.

...For the petitioner.

Mr. Ansar Mandal,
Ms. Sipra Mazumdar.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner claims to be authorized by one City Cooperative Fee Car Parking Society Limited to run a car parking facility from 1, Radha Kesto Seth Street to 64 & 65/1, M.D. Road. The petitioner claims to have been authorized by a Power of Attorney to run the said car park.
3. At page 22 of the writ petition is a document of the letterhead of the said licensee dated 1st June, 2022 entitled the Power of Attorney.
4. The text of the letter is stated to authorize the petitioner to “appear” the car parking space on the Kolkata Municipal Corporation licence.
5. The right to sub-let or issue sub-licence or authorize anybody else to run the said car parking facilities under the Kolkata Municipal Corporation Act has not been demonstrated.

6. Be that as it may, the document appearing at page 22 of the writ petition dated 1st June, 2022 is wholly suspect.

7. In those circumstances, this Court is not inclined to interfere in the instant matter.

8. This Court is of the view that if the petitioner has any grievance, he may approach the concerned Magistrate under Section 156(3) of the Code of Criminal Procedure.

9. With the aforesaid directions, the instant writ petition shall stand disposed of without any order.

10. There will be no order as to costs.

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

(Rajasekhar Mantha, J.)