

28.11.2023
Item No.9
gd/ssd

WPA(P)/570/2023
RAJIV LOCHAN TEWARI
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sankar Prashad Dalapati,
Mr. Safik Dewan
..for the Petitioner.

Mr. Lal Mohan Basu
..for the State.

Mr. S.R. Saha
..for the Respondent No.7.

Mr. Shyamal Chakraborty,
Ms. Manju Jaiswal,
Mr. Debajyoti Mondal,
Ms. Anjana Das,
Mr. Sayan Ghosh
..for the Respondent No.8.

1. By way of this public interest litigation the petitioner alleges that the respondent nos.7 and 8 are putting up illegal construction in two of the premises in Ward No.41, PS-Girish Park. The petitioner has not enclosed any information as to on what basis he claims that the respondent nos.7 and 8 are putting up illegal construction.

2. The only contention of the petitioner is that he filed an application under the Right to Information Act and no information was furnished by the Public Information Officer and immediately thereafter the petitioner has approached this court.

3. The learned advocates for the respondent nos.7 and 8 have submitted that the petitioner has no *locus standi* to file this writ petition. He is not a resident of the area nor he is adjacent property owner and he resides elsewhere as could be seen from the address given in the writ petition and the writ petition has been filed for the collateral purpose. Further, the learned advocates for the respondent nos.7 and 8 have submitted that both the respondents have obtained proper planning permission from the authorities and the construction is being proceeded strictly in accordance with the sanctioned plan.

4. In the light of the above, the relief sought for in the writ petition cannot be granted.

5. However, it will be open to the petitioner to approach the appellate authority under the Right to Information Act for providing appropriate information.

6. With the above observation, the writ petition stands disposed of.

7. Affidavit of service is kept on record.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)