

19 23.06.2023  
rkd Ct.15

W.P.A. 26262 of 2018

Sri Chandan Tiwari

-vs-

The State of West Bengal & Ors.

Ms. Poulami Chakraborty

....for the petitioner.

Petitioner complains of construction made by the respondents on the embankment of river Bhagirathi under the jurisdiction of Azimgunj Municipality, Murshidabad. It has been submitted by the learned advocate representing the petitioner that market blocks have been constructed on the embankment of the river creating hazardous situation. Prayer has also been made in the writ petition for preparation of plan for draining waste and sewage.

This Court fails to understand how the application under Article 226 in the present form is maintainable since petitioner has voiced grievance concerning people of the area. The issue involved in this writ petition might be a subject matter of public interest litigation.

The Court is not satisfied with the *locus standi* of the petitioner to maintain the present writ petition.

Accordingly the writ petition stands

dismissed.

However, there shall be no order as to costs.

However, this order shall not preclude the petitioner to take appropriate steps in accordance with law raising the identical grievance.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

**(Saugata Bhattacharyya, J.)**