

Item No. 16

30.01.2023
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 27485 of 2022
Sri Gopal Ray & Ors.
v.
The State of West Bengal & Ors.

Mr. Jagabandhu Roy
Mr. Rudranil De
Mr. Santimay Bhattacharya
Mr. Ziaul Haque
Mr. Suman Kumar Bhattacharya
... for the petitioners.

Mr. Gopal Chandra Ghosh
Mr. R. Mondal
... for the private respondent.

Mr. Amlan Prokash Lahiri
Mr. Anand Farmania
... for the State.

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

The petitioners complain that the private respondent is making unauthorized construction over the common passage.

The petitioners refer to the representation filed before the Mayor and the Chairman of the Bidhannagar Municipal Corporation and allege that the same has not been taken up for consideration till date.

On a perusal of the said representation it appears that the nature of unauthorized construction alleged to

be made at the instance of the private respondent is not mentioned.

An omnibus allegation that the private respondent is blocking the common passage and obstructing the free ingress and egress of the petitioners is made.

It appears that a civil suit between the parties being TS No. 511 of 2017 in respect of the selfsame property is pending consideration before the learned Civil Judge.

It will be open for the parties to raise all issues before the competent forum for redressal of their grievances, is so advised.

The writ petition stands disposed of.

Affidavit-of-service filed in Court today is taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)