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17.12.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 5603 of 2023

Ajiruddin & Anr.
Vs.
The State of West Bengal & Ors.

Mr. S.P. Lihiri, Adv.
Mr. Md. Habibur Rahman, Adv.
...for the petitioners

Mr. Jyoti Prakash Chatterjee, Adv.
Mr. Subhendu Sengupta, Adv.
...for the State

There is a serious issue pertaining to the maintainability of the writ petition.

The petitioners seek liberty to make a representation pertaining to their grievance before the Appropriate Authority in accordance with law.

The State is represented and submits that the plea of the petitioners to seek permission for the subject construction at the subject premises has been opposed by the local people and a new project has also commenced at a different site.

In view of the above, there are no grounds to interfere in this matter, W.P.A. No. 5603 of 2023 stands disposed of by granting liberty to the petitioners to make a representation before the Appropriate Authority in accordance with law.

It is made clear that there has been no expression on the merits of the case and if any

proposed application is filed, the concerned Authority has to consider the same strictly in accordance with law, without being influenced by any observation made in this order.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)