

12.04.2024
rc/ct.no.10
Item No.32

WPA No. 6199 of 2022
Chandrakala Devi Agarwal
Versus
The State of West Bengal & Ors.

Mr. Supratick Shyamal	...for the petitioner
Mr. Ayan Banerjee	...for the State
Mr. Keshab Chandra Das	..for the respondent nos. 3&4

The petitioner does not intend to use exception to the report submitted on behalf of the respondent nos. 3 and 4.

Heard learned counsel for the parties.

The grievance of the petitioner is that the Tarakeswar Municipality, being the 3rd and 4th respondent herein are trying to construct a road from TC Road to New Bus Stand by encroaching upon a portion of the petitioner's property. Record reveals that a notice of hearing in this regard was issued upon the petitioner by the authority on December 21, 2021.

Learned counsel for the petitioner submits that no construction has been made on the petitioner's land by the Municipality till date.

Learned counsel for the Municipality submits, on instructions, that the Municipality does not intend to make any construction upon the petitioner's land or any portion thereof.

In view of the above, nothing further remains to be adjudicated in the writ petition and the same is disposed of accordingly.

However, if the Municipality requires the land of the petitioner for construction of the road in future, they shall be at liberty to acquire the same by taking recourse to law.

There shall however be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)