

04.07.2024
Item No.7
gd/ssd

WPA(P)/176/2024
MANOJ SINGH
VS
STATE OF WEST BENGAL AND ORS.

Mr. Tamal Singha Roy,
Ms. Tamalika Dutta

..for the Petitioner.

Mr. Indrajeet Dasgupta,
Ms. Sayani Roy Chowdhury

..for the Respondent Nos. 3 to 5.

Ms. Sonal Sinha,
Ms. Shabnam Farooqui

..for the Respondent Nos.10 to 12.

Mr. Gautam Lahiri

..for the Respondent Nos.20 to 21.

Mr. Abhrajit Mitra,
Mr. S. Roychoudhury,
Mr. Aditya Kanodia,
Ms. Shreya Trivedi

..for the Respondent No.25.

1. By way of this public interest petition the petitioner claims to be an elected Municipal Councillor and an active people's representative and also claims that he is an avid environmental enthusiast and frequently travels alongside the banks of the river Hooghly on the east and west bank to keep an eye on the river and bring any sort of pollution to the notice of the statutory authorities.

2. The petitioner would state that he was shocked and surprised to find a high-rise building consisting of 28 floors has been built besides narrow lane of about five meters width and admits that sanctioned plan from the West Bengal Housing

Industry Regulatory Authority has been obtained which, according to the writ petitioner, is illegal.

3. If the petitioner is an elected representative, Municipal Councillor, nothing prevents him from exercising his right as an elected representative and move the appropriate authorities. The petitioner himself admits that a sanctioned plan has been obtained.

4. The learned advocate appearing for the private respondents submitted that the construction has been completed long ago and all the flats have been sold out.

5. In any event, we are fully satisfied as to the nature and pleadings in this public interest litigation more particularly at the behest of an elected Municipal Councillor.

6. Therefore, we are not inclined to issue any direction in this writ petition but, however, it will be left open to the petitioner to move the appropriate authorities in the capacity of an elected Municipal Councillor, if he deems fit and appropriate.

7. Accordingly, the matter stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)