

20.06.2024
Item No.19
RP/AN
Ct. No.1

WPA (P) 193 of 2024
Megnath Bera
Vs.
The State of West Bengal & Ors.

Mr. Toslim Ali
.....for Petitioner

Mr. Jahar Lal De
Mr. Shamim ul Bari
.....for State

1. By way of filing this public interest litigation petition the petitioner seeks for direction upon the respondents no.3 to 6 to remove the obstruction created by certain people who are termed to be common people and they are alleged to have made obstruction in the common pathway. The allegations are absolutely vague. The persons, who are alleged to have obstructed the common pathway, have not been implemented as party respondents.
2. Learned advocate appearing for the official respondent on instruction submitted that a civil suit by and between the parties is pending before the learned Civil Judge, Junior Division, 4th Court at Howrah.
3. In the light of the above, the prayer sought for cannot be issued and that too in a public interest litigation.
4. In the result the public interest litigation petition is dismissed.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)