

08 27.06.2024
AN Ct. No. 01

WPA(P) 225 of 2024

Sanjib Roy
vs.
State of West Bengal & Ors.

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. K. R. Ahmed
Mr. Rudranil Das

... for the petitioner

Mr. T. M. Siddiqui, Id. AGP
Mr. Samim Ul Bari

... for the State

Mr. Kartick Kr. Bhattacharya
Ms. Soumashree Dutta
Ms. Papiya Naskar

... for respondent no. 7

Mr. Sandipan Banerjee
Mr. Amit Sureka
Mr. Sovan Majumder

... for the H.M.C.

1. We have heard learned counsel for the respective parties.

2. This writ petition styled as a Public Interest Litigation filed by the petitioner alleges that the private respondent has encroached into the public drain and there was also a building erected without any planning permission. In this regard, representation has been submitted to the authorities and the latest representation is dated 15.05.2024.

3. Learned counsel appearing for the Municipality would submit that action is being initiated in the matter. Learned counsel for the 7th respondent submitted that earlier the 7th respondent had filed a writ petition against

the writ petitioner herein and this appears to be a reason for the present Public Interest Litigation and it is not a genuine Public Interest Litigation. Be that as it may, since the Corporation is already seized off the matter, the 2nd and the 3rd respondents are directed to proceed in accordance with law after issuing notice to the 7th respondent herein and all concerned and to take appropriate action in accordance with law. This direction be complied with within a period of three months from the date of receipt of the server copy of this order.

4. With the above observations and directions, the writ petition stands **disposed of**.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)