

04.07.2024
Item No.25
PG/KS
Ct. No.1

W.P.A.(P) 264 of 2024

**Newtown Citizens Welfare Fraternity
Versus
State of West Bengal & Anr.**

Mr. Soumya Dasgupta
Mr. Sattwik Majumder
Mr. Ritankar Das

.....for the Petitioner

Mr. Biswabrata Basu Mallick
Ms. Munmun Ganguly

.....for the State

1. Petitioner, who is stated to be called 'Newtown Citizens Welfare Fraternity', which is objecting to a project, which is to be implemented by the West Bengal Housing Infrastructure Development Corporation. The project concerns the construction of Jagannath Dham Sanskriti Kendra at Digha and tenders were called for by the West Bengal Housing Infrastructure Development Corporation Limited on 21st February, 2022 and it is submitted by the respondents that the work is complete and the Dham is to be inaugurated shortly.
2. The petitioner/society has filed this writ petition on the ground that the West Bengal Housing Infrastructure Development Corporation Limited could not have developed such a project because the project area does not fall within its jurisdiction.

3. In our view, it is the decision of the Government of West Bengal to hand over the development work to an Infrastructure Development Corporation, which is a wholly owned Government of West Bengal undertaking. Therefore, the Government was of the view that the expertise of the Infrastructure Development Corporation can be utilized for the said project.
4. Therefore, no fetter can be imposed on the Development Corporation to develop the project on the ground that the project site is located outside its jurisdiction. In fact, the project has been handed over to the Infrastructure Development Corporation as a special project for development and the question of any territorial jurisdiction would not operate in such cases.
5. Hence, we find no ground to entertain this writ petition.
6. Accordingly, the writ petition stands dismissed.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)