

13.09.2024

Sl no. 128
Ct no. 15
P.M.

WPA 17656 OF 2022

IA No. CAN 1 of 2024

Samar Paul

- Vs -

The State of West Bengal & Ors.

Ms. Jharna Biswas

... for the petitioner

Mr. Biswajit Mukherjee,

Ms. Sima Chakraborty

... for Kolkata Municipal Corporation

Mr. Soumitra Bandopadhyay,

Mr. Subhasis Bandopadhyay

... for the State

Mr. Jahar Datta,

Mr. Bipin Ghosh

... for the State

Mr. Debdutta Basu

... for respondent No. 8 and 9

CAN 1 of 2024

This is an application for restoration.

Having regard to the averments made in this restoration application, I am of the view that the petitioner has sufficiently explained the reason for his non-appearance before this Court on 10.05.2024.

Accordingly, CAN 1 of 2024 stands allowed and **WPA 17656 of 2022** is restored to its file and number.

WPA 17656 of 2022

Petitioner has filed this frivolous litigation with the assistance of legal aid. He alleges encroachment of a road owned by the Kolkata Municipal Corporation at the behest of respondent No. 8 and 9.

The report filed by the Corporation indicates that a departmental inspection was carried out at the spot for physical verification.

The report filed by the Corporation states that the road is a private property and there has been no encroachment on the Kolkata Municipal Corporation road.

It appears that the petitioner has filed this writ petition at the cost of State exchequer against the respondent No. 8 and 9 for he has some grievance against them regarding construction of a boundary wall.

In that view of the matter this writ petition **WPA 17656 of 2024** is dismissed.

The report and the photographs filed by the Corporation be kept with the record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Kausik Chanda, J.)