

18.09.2024
Item No.37
RP
Ct. No.1

WPA(P) 329 of 2024
Ain Sahayata Kendra
Vs.
The State of West Bengal & Ors.
With
WPO(P) 9 of 2021

Mr. Soumya Majumder
Mr. Sk. S.N. Farhan
.....for Petitioner

Mr. Jahar Lal De
Mr. Supratim Dhar
.....for State

Mr. Nilanjan Banerjee
.....for Chandannagore Municipal Corporation

1. The writ petitioner, stated to be a society, seeks for implementation of the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014 all over the State of West Bengal. In the writ petition there are certain annexures which included notices issued by the National Highways Authority for removal of unauthorized encroachment on G.T. Road, Chandannagore etc. It is not clear as to whose cause the writ petitioner society is canvassing. The Court can take judicial note of the fact that encroachment is rampant throughout the State of West Bengal. Despite direction of the Court on the State action is being taken by various local bodies but the authorities are unsuccessful in clearing the encroachment.

2. Thus, we find that there is some hidden agenda behind this writ petition probably with a view to stall the eviction process. Therefore, we find such sweeping direction sought for by the writ petitioner society cannot be granted and that too in the guise of a public interest litigation.
3. In the result, this writ petition is dismissed.
4. The writ petition, being WPO(P) 9 of 2021, be deleted from list of the Appellate Side matters and be listed in the original side list.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)