

29.08.2024
Item No.7
PG/KS
Ct. No.1

W.P.A. 20399 of 2018
With
IA No. CAN 1 of 2018 (Old No. CAN 8357 of 2018)

Anjan Maity & Ors.
Versus
The State of West Bengal & Ors.

Mr. Debnarayan Patra
Ms. S. Podder

.....For the Petitioners

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Ms. Riya Ghosh

..... For the Respondent Nos.10 & 11/SBSTC

1. This writ petition has been filed in the year 2018 alleging that a bus stand should not be constructed in a land, which is alleged to be classified as a 'burning ground/burning ghat and dumping ground'.
2. In so far as the change of user of a land for a public purpose is concerned, it is the authority, who has to take appropriate action and the doctrine of sustainable development has to be borne in mind while doing so.
3. Therefore, at this juncture, we are not inclined to grant the relief sought for in the writ petition.
4. Accordingly, writ petition stands dismissed.

5. The learned advocate for the petitioner produced a copy of the alleged estimate, which was prepared for constructing the bus stand. It is not clear as to how the petitioner came in possession of the said document, which is an internal document of the Transport Corporation and/or Department. Therefore, we have our own doubts regarding the bona fides of the writ petitioner, which is one more ground for rejecting the prayer.
6. No costs.
7. 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.)