

29.08.2024
Item No.08
PG/KS
Ct. No.1

W.P.A.(P) 531 of 2023

**Sanjib Sinha Chowdhury & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Chandra Sekhar Bag
Mr. Sandip Rayfor the petitioners

Mr. Sirsanya Bandyopadhyay
Mr. Arka Kr. Nag
Mr. Tirthankar Dey.....for the Bidhan Nagar
Municipal Corporation

Mr. Amal Kr. Sen, Ld. AGP
Ms. Sahina Sumi.....for the State

1. This writ petition flags a very important issue regarding unauthorised parking in the Bidhan Nagar Municipal area. This problem is not faced in Bidhan Nagar Municipal area alone but the entire city of Kolkata and other towns and cities in the State of West Bengal. In fact, the High Court premises also is a place, where parking could not be regulated as there are several vehicles not belonging to advocates but fixing advocates' stickers, have been parked in the campus.
2. Learned advocate appearing for the Bidhan Nagar Municipal Corporation would submit that designated parking areas have been earmarked and parking fees is also being levied. He submits, tender for such purpose has been invited and it is in the pipeline.

3. Be that as it may, unless the Municipal authorities have a genuine will to regulate the parking without any political influence, the menace cannot be prevented. As the Municipality proposes to specify the areas, where cars can be parked on payment of parking fee or certain areas as free-parking areas, similarly no-parking areas are also to be notified. Notification on paper is insufficient because implementation of the notification lies with the Municipal Corporation.
4. Therefore, we make an observation, if there is an official will and a political will to implement the same, it can be done and no amount of orders passed by this Court can remedy the situation. Therefore, it is high time good sense prevails upon the Municipal officials, who are on the ground level to ensure that the public are not being harassed because the learned advocate for the petitioner submits that one of the persons, who is alleged to have been authorised by the Municipality to collect parking fees has assaulted a person, who had parked his car and a police complaint has been lodged and the case is pending.
5. Therefore, we hope and trust that the Commissioner of the Bidhan Nagar Municipal Corporation takes earnest steps in this regard, finalise the tender at the earliest, clearly delineate the authorised parking areas and the approved fee structure and also the no-parking zones and these information should be uploaded in the

website and also displayed in prominent places for the public to be informed.

6. Periodical surprise inspection should be conducted by the Municipal officials as to in what manner the persons authorised to collect the parking fee are functioning and all those persons, who are authorised to collect the parking fee should be directed to wear uniforms and carry the identity cards.
7. The above directions shall be implemented by the respondent/Municipal Corporation forthwith.
8. With the aforesaid directions, the writ petition is disposed of.
9. No costs.
10. 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.)