

29.01.2024
Court No. 13
Item No. 25
AP

WPA 25805 of 2023
With
IA NO: CAN 1 of 2024 (Not found in the file)

Jogesh Chandra Saha
Vs.
The State of West Bengal and Ors.

Mr. Debasis Sur
Mr. Hare Krishna Halder
Mr. A. Patra

.... For the Petitioner.

Mr. Tapan Kumar Mukherjee
Mr. Shamim Ul Bari
Mr. Somnath Naskar

.... For the State.

1. The petitioner claims that the Municipal Engineering Directorate, U. Dinajpur has issued a work order for construction of proposed Urban Health and Wellness Center at Ashok Pally Bimala Addhya Prathamik Vidyalaya in Ward No.4 within Raiganj Municipality on land that belongs to the petitioner.

2. Admittedly, a dispute as regards rectification of records of rights is pending since 2007 before various courts and lastly pending before the WBLRTT in OA 2124 of 2020 and OA 2125 of 2020.

3. This Court sees that the petitioner appears to clearly dragging its feet in respect of the dispute with regard to the title of the land in question since 2007. The State cannot be expected to wait indefinitely for this long to commence functioning of public health facilities.

4. For the reasons stated hereinabove, this Court is not inclined to interfere with the impugned order issued by the Executive Engineer, Dinajpur Division under the Municipal Engineering Directorate, U. Dinajpur dated 28th July, 2023.

5. Hence, the writ petition is dismissed.

6. In view of the dismissal of the main writ petition, connected applications, if any, shall also stand dismissed.

7. There shall be no order as to costs.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)