

W.P.A. 26575 of 2023
Kazi Gousal Karim & Anr.
-Vs.-
The State of West Bengal &Ors.

Mr. Sani Hossain
Ms. Salma Sultana Shah
Mr. Miraj Hossain
Mr. Bijoy Das

....for the petitioners

Mr. Jahar Dutta
Mr. Janardan Mandal

...for the State

Mr. Debjit Mukherjee

....for the WBSEDCL

Mr. Dhiman Ray
Mr. Dip Chanda

...for the respondent No. 7

The grievance of the petitioner is directed against the alleged illegal construction by the private respondent on their land. The petitioners also pray for demolition of unauthorised construction on their land by the private respondent.

It is submitted on behalf of WBSEDCL, being the respondent No. 3 that the land on which a shop room of the petitioner is situated is public land. In such circumstances, there are no grounds to justify the grievance of the petitioner.

The private respondent are also represented and submit that the prayers in the writ petition are only directed towards illegal and unauthorised construction on the land belonging to the petitioners.

It is apparent from the plain reading of the petition that the grievance of the petitioner is directed against the illegal construction on his land by the private respondent. There is no issue pertaining to the alleged shop room constructed by the private respondent on Government land. In such view of the matter, any relief in respect of the above electricity connection is beyond the scope of the writ petition. There is no basis to the grievance of the writ petition insofar as the shoproom of the private respondent no. 2 is concerned.

Accordingly, WPA 26575 of 2023 stands dismissed.

Liberty is granted to the petitioner to take necessary action insofar as the unlawful construction on the Government land is concerned in accordance with law and if so advised.

(Ravi Krishan Kapur, J.)