

02 29.02.2024
AN Ct. No. 01
RP

WPA(P) 618 of 2023

Arindam Mukherjee
Vs.
State of West Bengal & Ors.

Mr. Joy Chakraborty
Mr. Sandip Dinda
Mr. Ranjit Malakar

... for the petitioner

Mr. Kishore Dutta, Id. A.G.
Mr. T. M. Siddiqui
Ms. A. P. Moulick

... for the State

Mr. Jayanta Narayan Mahanty
Ms. Pratiti Das

... for Maheshtala Municipality

Mr. Siddhartha Banerjee
Mr. Abhishek Baran Das
Ms. Srijoni Chongdar
Mr. Rakib Hossain Khan

... for respondent no. 14

1. We have heard learned counsel for the respective parties at length.

2. By this writ petition styled as a Public Interest Litigation, the petitioner alleges that the 14th respondent, Srijan Residency LLP is developing a project which is close to river Ganga and there are serious violations of the environmental norms. The prayers sought for by the writ petitioner in the writ petition is to cancel the planning permission which is stated have been granted by the 9th respondent viz. the Maheshtala Municipality.

3. Learned counsel appearing for the 14th respondent submitted that all necessary approvals have been obtained by the 14th respondent and the writ petition

is devoid of merits. At this juncture, we are not inclined to go into the allegations made by the writ petitioner but would take note of the fact that the representation has been given by the petitioner to various authorities including the 9th respondent, the Municipality on 04.12.2023 which is still pending.

4. Therefore, without going into the merits of the allegations made, there will be a direction to the 9th respondent, the Municipality to consider the representation dated 04.12.2023 after notice to the 14th respondent and pass a reasoned order and communicate the same to the writ petitioner within a period of three weeks from the date of receipt of the server copy of this order. In order to facilitate the compliance of this direction, the petitioner is directed to enclose the copy of the representation dated 04.12.2023 alongwith the other relied on documents as well as the copy of this order to the 9th respondent for compliance of the above direction. We make it clear that the merits of the allegations made by the petitioner against the 14th respondent, have not been gone into.

5. In the result, the writ petition stands **disposed of.**

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)

