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03.01.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 28411 of 2023

**Tapan Kumar Maiti
-versus
The State of West Bengal & Ors.**

**Mr. Debayan Roy,
Mr. Dytiman Banerjee.
...For the Petitioner.**

**Mr. Souri Ghosal,
Mr. Subhojit Mukherjee.
...For the Private Respondent.**

**Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Sobhan Majumder.
...For HMC.**

The petitioner and the private respondent are siblings.

The private respondent filed writ petition being WPA 24803 of 2023 on 12th October, 2023 and served copy of the writ petition upon the present writ petitioner.

On receipt of the writ petition, the petitioner herein lodged a complaint before the Assistant Engineer, Borough-VII, Ward No. 43 of the Howrah Municipal Corporation alleging unauthorized construction made at the behest of the private respondent.

The said complaint was lodged on 14th December, 2023 and the present writ petition has been affirmed on 15th December, 2023.

It appears from the conduct of the petitioner that the instant writ petition is a direct counter blast and has been filed out of spite to take revenge against the private respondent for filing writ petition against him. Such type of conduct on the part of the petitioner cannot be appreciated by the Court. Writ petition cannot be entertained to settle private scores.

In view of the above, the Court is not inclined to exercise jurisdiction in the matter.

The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)