

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/114/2024
WITH
WPO/157/2024
IA NO: GA/1/2024
THE KRISHNA RADHA COOPERATIVE HOUSING SOCIETY LTD AND
ANR
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE :
THE HON'BLE JUSTICE DEBANGSU BASAK
-A N D-
THE HON'BLE JUSTICE MD. SHABBAR RASHIDI
DATED : November 21, 2024.

Appearance :-
Mr. Raghunath Chakraborty, Adv.
Mrs. Tanuree Das, Adv.
Ms. Mohona Das, Adv.
...for appellants
Mr. Satyajit Talukder, Adv.
Mr. Avishek Guha, Adv.
Ms. Debika Misra, Adv.
....for respondent 5.
Ms. Tuli Sinha, Adv.
...for the State
Mr. Biswajit Mukherjee, Adv.
Mr. Swapan Kr. Debnath, Adv.
Ms. Manisha Nath, Adv.
...for KMC

The Court :- The appeal is directed against an order dated February 28, 2024 passed in WPO/157/2024.

Learned Advocate appearing for the appellants submits that, Kolkata Municipal Corporation is constructing a compactor in front of the entrance of the cooperative society. The cooperative society comprises of persons of advanced age.

Learned Advocate appearing for the appellants submits that the compactor is being constructed by Kolkata Municipal Corporation on land belonging to Kolkata Metropolitan Development Authority (KMDA). He refers to the policy of the State and submits that the construction of the compactor is in accordance with the policy laid down by the State.

KMDA and KMC Authorities are represented.

KMDA Authorities are not questioning the construction of the compactor on land belonging to them.

Construction of a compactor is in public interest and is necessary for the maintenance of hygiene and dealing with the garbage. In fact it would also enure to the benefit of the members of the appellant society once constructed.

As noted above, the construction is on KMDA land and that the construction is not on any land belonging to the appellants.

Learned Single Judge dismissed the writ petition of the appellants.

We find no ground to interfere with the impugned order dated February 28, 2024.

APOT/114/2024 along with GA/1/2024 is dismissed without any order as to costs.

(DEBANGSU BASAK, J.)

(MD. SHABBAR RASHIDI, J.)

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