

02.04.2025
90
Ct. no.39
ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. 1102 of 2024

**Rupali Mondal
-Vs-
The State of West Bengal & ors.**

Mr. Mukteswar Maity
Ms. Manika Sarkar
... for the petitioner

Mr. Indranil Roy, Sr.Adv.
Mr. Tapas Kr. Mandal
... for the State-respondent

Mr. Tusher Kanti Mukherjee
... for the private-respondents

Affidavit of service filed on behalf of the petitioner is taken on record.

This writ petition has been filed seeking direction upon the respondent authorities to consider and dispose of the representations dated 1st December, 2023 and 8th January, 2024, annexures P4 and P5 respectively, submitted before the Pradhan, Uttar Mokamberia Gram Panchayat, respondent no.7, the Assistant Engineer (PWD), Canning Sub-Division, South 24-Parganas, respondent no.4 and the Managing Director, West Bengal Highway Development Corporation, respondent no.2.

The petitioner contends that the private-respondents have undertaken unauthorized

construction over the PWD vacant land without sanctioned building plan from the local Gram Panchayat. Representation was made before the Panchayat authorities as well as other respondents in this regard. However, no step is taken. Hence, this writ petition.

Mr. Mukteswar Maity, learned Advocate for the petitioner submits that direction be issued upon the respondent authorities to consider the representation of the petitioner.

Mr. Tusher Kanti Mukherjee, learned Advocate for the private-respondents submits that no such unauthorized construction has been undertaken over the land of the petitioner and as such, the writ petition is misconceived and should be dismissed *in limine*.

Mr. Indranil Roy, learned Senior Advocate appearing on behalf of the State respondent also submits that the petition is bereft of details, particularly specification of land of PWD authorities over which the unauthorized construction has been undertaken. He also seeks for dismissal of the writ petition.

Upon going through the writ petition it is found that the petitioner has alleged of unauthorized construction over the PWD land by the private-respondents. However, the specification of the land over which the unauthorized construction has been undertaken has not been disclosed and thus the

pleadings in the writ petition is bereft of necessary particulars.

Such being the position, the writ petition is liable to be dismissed.

Accordingly, the writ petition being **WPA 1102 of 2024** stands dismissed.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(**Bivas Pattanayak, J.**)