

03.03.2025
Item No.20
RP/KC
Ct. No.01

MAT 200 of 2023
+
IA No.CAN 1 of 2023
Kalidas Roy
VS.
State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharjee
Mr. Tanmoy Chowdhury
Ms. Ritoprita Ghosh
....For Appellant

Mr. Soumen Saha
Mr. Debasis Sur
....For Respondent No.9 & 10

1. This intra-Court appeal on behalf of the writ petitioner is directed against the order dated 30.01.2023 passed in WPA 25258 of 2022. This is the third writ petition filed by the appellant on the very same purpose, more or less the same purpose raised in the earlier two writ petitions wherein permissions were granted for installation of ten CCTV cameras as well as repairing of the damaged cameras. The third writ petition was filed alleging that the private respondents have damaged the fourth CCTV camera. As observed by the learned Single Bench definitely it will affect the right of privacy of the other persons who may be residing in the building or using the building for commercial purposes. Therefore, we are of the view that the learned Single Bench was fully justified in dismissing the writ petition. Furthermore, we note that there is a civil suit pending between the

parties in TS 77 of 2014 on the file of the learned Civil Judge, Jr. Division, 1st Court, Baruipur, South 24 Parganas, which is a suit for declaration and permanent injunction in respect of a common passage. Therefore, we find no ground to interfere with the impugned order, Accordingly, the appeal and the connected application are dismissed. However, considering the fact that the appellant is a senior citizen, the cost imposed on the appellant is deleted.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)