

20.05.2025
Ct. No.1
Item No.6
RP/SM

RVW/60/2025
in
WPA(P)/198/2024
with
CAN/1/2025

VIVEKANANDA SARKAR AND ORS.
VS.
STATE OF WEST BENGAL AND ORS.

Mr. Mukul Lahiri, Sr. Adv.
Mr. Durga Prosad Dutta, Adv.
Mr. Souvik Sen, Adv.

...For the Petitioner

Mr. Alok Kr. Ghosh, Adv.
Mr. Arijit Dey, Adv.

...For the K.M.C.

Mr. Gouranga Das, Adv.
Mr. Pradyut Saha, Adv.

...For the U.O.I.

1. This review application is filed to review the order dated 6th February, 2025, passed in WPA(P) 198 of 2024. The said writ petition was filed alleging that a large water body is being filled up by the respondents and utilised the same for the purpose of road widening etc. In the writ petition a report was filed by the Executive Engineer (C), B.S. Kolkata Municipal Corporation. The report was placed on record and stand taken by the Kolkata Municipal Corporation was that there are no steps being taken nor there is any contemplation to fill up the existing Salboni Jheel or any part thereof in any form of manner at Premises No.3, J.K. Ghosh Road. This submission was placed on record and the writ petition was disposed of.

2. The review applicant now submits that apart from Premises No.3, J.K. Ghosh Road, there are two other premises, namely, 3/1 and 3/1/1, J.K. Ghosh Road. In the report, it has been stated that *Banglar Bari* project will be implemented in the area of land measuring about 7 bighas more or less. It is further submitted that the remaining extent of land could be kept vacant. The grievance raised in the writ petition itself was that the respondents are filling up the water body. This has been sufficiently safeguarded in the light of the stand taken by the respondent. By way of this review application we cannot extend the scope of the writ petition. Apart from that, the land in question is a government land and it is not for the court to state as to how the land of the State could be utilised. Thus, the petitioner's grievance stood redressed as well as the water body has been preserved.
3. Thus, no ground is made out to review the order passed by us. In the result, the review application and the connected application are dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)