

05.08.2025
Item No.13
gd/ssd

WPA(P)/98/2023
LAKSHMAN HALDER AND ORS.
VS
STATE OF WEST BENGAL AND ORS.

MrPratip Kumar Chatterjee, ld. Sr. Adv.
Ms. Maitrayee Chatterjee
..for the Petitioners.

Mr. Jahar Lal De,
Mr. Rudranil De
..for the State.

1. Heard on admission.

2. The petitioners submit that petitioners are similarly situated qua the petitioners of WPA(P) 337 of 2022 which was decided on 01.08.2022. In that case, the representation of similarly situated persons were directed to be decided and petitioners are claiming the same relief. For same purpose reliance is placed on the order passed.

3. Sri De, learned advocate by placing reliance on para 7 of the averments of PIL submits that the petitioners are “person aggrieved” and, therefore, this grievance in the shape of PIL is not maintainable.

4. We have heard the parties.

5. It is seen that the previous court order on which learned counsel have placed heavy reliance the question of maintainability of PIL has neither been raised nor decided. Whereas it is specifically raised in

the instant case founded upon the pleading of petitioners themselves. Para 7 of PIL reads thus:

“7. That the petitioners state though the aforesaid orders were passed by the Hon’ble Court on 01.08.2022 in one writ petition and on 13.12.2022 in an another writ petition and petitioners are the affected person whose name have not either included to give patta on their possessed and occupied land or included in the survey list for giving patta to a minimum portion of land not in full which they are occupying, portion of land not in full which they are occupying, enjoying and/or possessing since long and which are also lying in the schedule plot mentioned in Supra paragraph no.1 of this petition.”

6. In view of this pleading, we find substance in the argument of Sri De that petitioners are “person aggrieved” and this grievance under the veil of PIL cannot be entertained.

7. Thus, we decline interference by reserving liberty to the petitioners to file appropriate proceedings.

8. PIL is disposed of.

9. Affidavit of service is taken on record.

(SUJOY PAUL, J)

(SMITA DAS DE, J.)