

27.03.2025
Item Nos.1 & 2
PG/KS
Ct. No.1

W.P.A. 7793 of 2019
+
I.A. No. CAN 1 of 2019 (Old No. CAN 11533 of 2019)
+
CAN 2 of 2021
Amitabha Mukherjee
Versus
The State of West Bengal & Ors.
With
W.P.A. 4810 of 2018
+
I.A. No. CAN 1 of 2018 (Old No. CAN 3149 of 2018)
+
I.A. No. CAN 2 of 2019 (Old No. CAN 11539 of 2019)
Dr. Subrataa Dawn & Ors.
Versus
State of West Bengal & Ors.

Mr. Syed Nurul Arefin
Mr. Rahul Singh

.....For the Petitioner in
W.P.A. 7793 of 2019

Mr. Kishore Datta, Ld. Advocate General
Mr. Satyajit Talukdar
Mr. Avishek Guha
Mr. Arindam Chatterjee

.....For the K.M.D.A.

Mr. Alok Kumar Ghosh

.....For the Kolkata Municipal
Corporation

Mr. Abhishek Halder
Mr. Swadesh Misra
Ms. Madhurima Basu

.....For the Respondent No.4
in W.P.A. 7793 of 2019
.....For the Respondent No.5
in W.P.A. 4810 of 2018

1. These public interest litigations have been filed seeking for a direction upon the Kolkata Metropolitan Development Authority to immediately stop the work of construction of the shed in Plot No.77 (POR) in KIT Scheme No.LV, Middle Road, Entally, Kolkata.
2. According to the petitioners, the land was acquired for the purpose of widening of the Middle Road and contrary to the same, a shed is being put up.

3. The learned Advocate General submitted that the road widening process is completed and the excess land lying, is to be utilized for the purpose of putting up of a shed, which will benefit the public, who take the bus transport.
4. The apprehension of the petitioners is that the shed is being constructed to benefit the private respondent, who is an astrologer.
5. The learned Advocate General submitted that the shed is being constructed to put up a bus shelter for the general public and if that be so, the petitioner cannot object to the same.
6. In any event, the land belongs to the Government and if it is for a public purpose, then obviously the petitioners cannot put fetters on the same. That apart, it is for the State to take into consideration what would be beneficial for the general public and it is not for an individual to come to this Court to seek for directions as to how a Government land has to be utilized.
7. Therefore, we find no ground to issue the writ, as sought for.
8. Accordingly, writ petitions are dismissed. Interim order is vacated.
9. No costs.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)