

30.01.2025
Item No.5
RP/SM
Ct. No.01

WPA(P) 164 of 2022
Biplab Kumar Chowdhury
Vs.
State of West Bengal & Ors.

Mr. Sukanta Chakraborty
Mr. R. Sahu

....For Petitioner

Mr. Jahar Lal De, A.G.P.
Ms. Tanwishree Mukherjee

....For the State

1. By filing this Public Interest Litigation the writ petitioner alleges that a land which was acquired by the Government for reconstruction of the bus terminus has not been utilised for the said purpose and has been utilised for the residential accommodation. The writ petitioner has not clearly stated in his representation as to whether the residential accommodation is for the general public or the person who are under privileged. In any event, a land has been acquired for the public purpose, the said land can be put to use for any other public purposes.
2. Learned Government counsel appears for the State submitted that that the said residential project is for general public.

3. Therefore, we find no grounds to issue a writ of mandamus as sought for by the writ petitioner. Hence, the writ petition is dismissed.
4. However, if the writ petitioner has materials to show that the land has been diverted for public purpose, it is open to the writ petitioner to give a fresh representation to the authorities concerned and to proceed in accordance with law.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)