

16.07.2025
Sl. No. 16
Ct No. 3
SG

WPA 11159 of 2025

**Minati Mondal
Vs
The State of West Bengal & Ors.**

Mr. S. Chanda.

...for the petitioner

Mr. S. Chakraborty,
Mr. S. Banerjee.

...for the State

Mr. Debasis Kar,
Mr. A.T. Bhadra,
Mr. S. Parvin.

...for respondent no. 5

1. The petitioner has preferred the present writ petition being aggrieved by the inaction on the part of the respondent-Municipality in not taking any steps to stop/demolish illegal and unauthorized construction being carried out at premises no. 109, Kabiguri Randra Path (South) Post Office and Police Station – Biapuz, Ward No. 55, Kanchrapara Municipality, at the instance of private respondent no. 5.

2. This is the third round of litigation. Alleging inaction on the part of the respondent authority, the petitioner initially filed WPA 8918 of 2021. The said matter was listed before this Court on 24.11.2022 under the ‘Old Matters’ category. However, as none appeared on behalf of the petitioner, this writ petition was dismissed for non prosecution. The petitioner thereafter filed WPA 7698 of 2025. At that time, learned Counsel for the

petitioner was under the bona fide belief that the earlier writ petition was still pending on the said date. Therefore, he had withdrawn the said writ petition being No. WPA 7698 of 2025, with the intention of pursuing his remedy before this Court in the earlier petition. Later, it came to the petitioner's notice that WPA 8918 of 2021 had already been dismissed for default on 24.11.2022. In view of the same, the petitioner has preferred the present writ petition.

3. This Court has heard the arguments advanced by the learned Counsel for the parties and has perused the materials on record. The first writ petition filed by the petitioner was dismissed for default on 24.11.2022. Without ascertaining the status of details of the said proceeding, the petitioner filed another writ petition being WPA 7698 of 2025. However, the said writ petition was withdrawn without obtaining any liberty to file fresh writ petition on the self-same cause of action.

4. In view thereof, this Court is not inclined to entertain the present writ petition. It is also observed that the petitioner has not acted diligently in prosecuting the writ petition, as in the present writ petition, the synopsis filed along with the present writ petition pertains to some other petition and appears to have merely been mechanically cut-copy-pasted and bearing no semblance to the facts of the present writ petition.

5. With the above observations, the present writ petition is dismissed.

(Gaurang Kanth, J.)