

25.07.2025
Court No.13
Item No.8
AP/sp

RVW 217 of 2025
Abhishek Roy and Ors.
Vs.
Sri Dibaskar Saha and Ors.

In
MAT 690 of 2025
Abhishek Roy and Ors.
Vs.
Sri Dibaskar Saha and Ors.

Mr. Arindam Banerjee, Senior Advocate
Mr. Sabyasachi Chatterjee
Mr. Akashdeep Mukherjee
Mr. Tapojit Das

... For the Applicant.

Mr. Amitabrata Roy, G.P.
Mr. Nilotpal Chatterjee
Mr. A. Chatterjee
Mr. Gausal Alam
Ms. Payel Mitra

... For the State.

Mr. Sirsanya Bandopadhyay
Mr. Arka Kumar Nag
Mr. Tirthankar Dey

... For the Bidhannagar Municipal Corporation.

1. Review is sought of this Court's order dated 26th June, 2025 passed in MAT 690 of 2025. Reliance is passed on a direction of the Supreme Court in the case of ***Union of India and Anr. Vs. State of Gujarat and Ors.*** reported in **2018 SCC OnLine SC 3841**.

2. In the said judgement the Hon'ble Supreme Court directed the States to frame policy and guidelines in respect of Temples, Churches, Mosques, Gurudwaras etc. already existing on public streets and public places and also to prevent any further encroachment of public places.

3. This Court is informed that the State of West Bengal has not yet framed any policy in this regard. There is in existence of a policy of the State with regard to temple structures that are more than 70 years old.

4. The instant construction does not come within the scope of such policy. No new facts have been brought on record; neither any error apparent on the face of record pointed out or found in the said order dated 26th June, 2025.

5. Hence, RVW 217 of 2025 fails and is hereby dismissed.

6. There shall be no order as to costs.

7. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)