

25.08.2025
Item No.32
gd/ssd

WPA(P)/468/2022

DIPAK GAYEN AND ORS.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Jahar Lal De,
Mr. Supratim Dhar, ld. Sr. Adv.
..for the State.

Mr. Raghunath Chakraborty,
Ms. Mohana Das
..for Maheshtala Municipality.

1. None for the petitioners.
2. Nobody appeared for the petitioners on 20.9.2022 and 1.8.2025.
3. The Municipality by filing report stated that the petitioners' prayer for construction of road is related to a private property and Municipality has no authority/jurisdiction to construct a road on a private land.
4. It appears that petitioners have lost interest in the matter and cause does not survive.
5. Accordingly, this PIL is dismissed for want of prosecution.
6. However, this order will not in any way of Municipality to exercise its power under Section 189 of West Bengal Municipal Act, 1993 and ask the

owner to upgrade the road or give NOC in public interest to enable the Municipality/State to undertake the aforesaid exercise.

(SUJOY PAUL, J)

(SMITA DAS DE, J.)