

30.01.2025
Item No.1
PG/KS
Ct. No.1

W.P.A. 24342 of 2015

**Sandipan Khan
Versus
Rishra Municipality & ors.**

Mr. Sandipan Khan.....Petitioner (In person)

Mr. Jahar Lal De
Ms. Amita Das Deyfor the State

Mr. Rajendra Chaturvedi.....for the Rishra Municipality

1. We have heard the petitioner appearing in person and the learned advocate appearing for the respondent/Municipality.
2. The allegation made by the writ petitioner is that there was a park in existence in which unauthorisedly a multi-storied building has been put up.
3. Respondents 1 and 2 have filed their affidavit in opposition stating otherwise.
4. Since disputed questions of fact are involved, more particularly whether at all there was a park in existence, an independent assessment has to be made. Therefore, we suo motto implead the District Magistrate, Hooghly as respondent no. 3. Let necessary corrections be made in the cause title of the writ petition.
5. In the light of the above, the writ petition is disposed of by directing the District Collector to direct his officers including the Block Land and Land Reforms Officer of

the concerned area, cause an inspection of the area after notice to the petitioner as well as the Rishra Municipality, examine the land records and ascertain as to whether at all there was a park in existence and give an appropriate reply to the writ petitioner.

6. This direction be complied with within a period of twelve weeks from the date of receipt of server copy of this order.
7. With the aforesaid directions, the writ petition is disposed of.
8. No costs.
9. 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

(HIRANMAY BHATTACHARYYA, J.)