

02.01.2025
Item No.17
gd/ssd

WPA(P)/435/2024
MOKTAR ALI ZAMADAR AND ANR.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Kiran Sk.,
Ms. Arpita Ghosh
..for the Petitioners.

Mr. Swapan Banerjee,
Mr. D.N. Banerjee,
Mr. S. Chatterje
..for the State.

Mr. Abhishek Halder,
Mr. Debabrata Halder
..for the Respondent Nso.8 to 10.

1. The petitioners by way of public interest litigation allege that the private respondents have put up illegal construction without obtaining appropriate orders of conversion. Even in the writ petition in paragraph 4, the petitioners have admitted that the land has been reclassified as land suitable for construction. As long as the reclassification order holds good, the construction cannot be said to be illegal.

2. The learned advocate appearing for the private respondents submitted that the writ petitioners are holding the private respondents had ransom and demanding money and a complaint has been lodged with the Domjur Police Station, Howrah City Police on 25.03.2024 and, therefore, it is submitted that this is not a genuine public interest litigation.

3. As noted above as long as the order of conversion stands, the question of terming is illegal does not arise.

4. Hence, the writ petition stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)