

**1311**  
**2025**  
THURSDAY

Court : MB-24  
Item : AD-05  
Status : DISMISSED  
ID : 266312  
AR : NANDY

**IN THE HIGH COURT AT CALCUTTA**  
**CONSTITUTIONAL WRIT JURISDICTION**  
**APPELLATE SIDE**

**WPA 30664 OF 2024**

DEEP NIRANJAN SINHA & ANR.  
VS.  
WEST BENGAL HOUSING BOARD & ORS.

**MR. SUBRATA GHOSH, ADVOCATE**  
**MR. PRATYUSH GHOSH, ADVOCATE**

.....for the Petitioner

**MR. PRATIK MAJUMDAR, ADVOCATE**  
**MR. AYAN CHAKRABORTY, ADVOCATE**  
**MS. SOHINI MUKHERJEE, ADVOCATE**

.....for the Respondent No. 1

1. Affidavit of service, as filed, be kept with the record.
2. The petitioners submit that the respondent Housing Board had made an allotment of a garage space in favour of the petitioners sometime in the year 1990. The Housing Board has asked the petitioners to deposit a sum of Rs.38,500/- on account of the balance towards the allotment of such garage. The petitioners have paid an earnest money of Rs.5,000/- towards such garage space. The petitioners, however, were not happy with the construction of the garage and alleged it to be defective but continued to use the garage space since 1990 and still using the same upon paying Rs.5,000/- instead of Rs.38,500/-.
3. The petitioner has ventilated his grievance sometime in 2021 by way of writ-petition being WPA 17326 of 2021 which was disposed of by this Court on 11.03.2024 directing the Housing Board to consider the representation of the petitioner and dispose of the same upon passing a reasoned order.
4. The reasoned order appearing at page 69 of the petition, has been passed by the concerned authority on 28.08.2024 directing the petitioners to pay the present IGR value of the garage after deducting a sum of Rs.5,000/- which had been paid by the petitioners earlier. It was also mentioned that the petitioners are to make such payment within a period of 75 days from the date of passing the reasoned order, failing which, due process of law would be initiated for cancellation of the allotment of the garage space allotted to the petitioners.
5. The respondent appears and submits that the petitioners did

not take steps to make the payment within the stipulated time, on account whereof, the allotment has thereafter been cancelled on 18.03.2025 and a copy of the intimation of cancellation of allotment has been handed over to this Court, which is taken on record.

6. Since the cancellation was made after filing the writ-petition, the said cancellation has not been challenged in the writ-petition and the prayer of this writ-petition cannot be allowed at this stage in view subsequent cancellation of the garage space.
7. In view of afore-state, **WPA 30664 of 2024 is dismissed.**
8. However, there shall be no order as to costs.
9. Urgent Photostat Certified Copy of this order be given to the parties, if applied for.

**(REETOBROTO KUMAR MITRA, J.)**