

**1311
2025**

THURSDAY

Court : MB-24
Item : AD-04
Status : DISMISSED
ID : 266312
AR : NANDY

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

WPA 30662 OF 2024

**TARIT KUMAR CHAKRAVORTY
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 petitioner submits that the respondent Housing Board had made an allotment of a garage space in favour of the petitioner sometime in the year 1990. The Housing Board has asked the petitioner to deposit a sum of Rs.33,500/- on account of the balance towards the allotment of such garage. The petitioner has paid an earnest money of Rs.5,000/- towards such garage space. The petitioner, however, was 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 2022 by way of writ-petition being WPA 6385 of 2022 which was disposed of by this Court on 28.02.2024 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 55 of the petition, has been passed by the concerned authority on 23.08.2024 directing the petitioner to pay the present IGR value of the garage after deducting a sum of Rs.5,000/- which had been paid by the petitioner earlier. It was also mentioned that the petitioner is 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 petitioner.
5. The respondent appears and submits that the petitioner 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 the afore-stated, **WPA 30662 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.)