Sl 18
10.11.2026
Court No.3
BP/AGM

WPA 31420 of 2026

Association for Protection of Democratic Rights (APDR)
-versus-
The State of West Bengal & Ors.

Ms. Debangana Dey.
Mr. Bhaskar Roy.
..for the petitioner

Mr. Piyush Chaturvedi. Sr. Adv.
Mr. Nilanjan Chatterjee.
..for the KMC

Mr. D. N. Roy. Ld. G.P.
Mr. Piyush Chaturvedi. Sr. Adv.
Mr. Anindya Basu.
Mr. Indradeep Pal.
.. for the State.

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioner has filed the present writ petition praying for, inter alia, a writ commanding the respondent nos. 3 and 4 to conduct an independent , impartial and time–bound enquiry into the circumstances surrounding the alleged unauthorized demolition of the petitioner's temporary book stall on October 19, 2026.
3. The primary grievance of the petitioner appears to be non-consideration of a complaint dated October 21, 2026.

4. I have heard the learned advocate representing the parties and I have considered the materials on record.

5. It appears that the petitioner sought permission from the concerned authorities for the purposes of installing a temporary book stall. Admittedly, no such permission was granted. The petitioner presumed that in view of the silence on the part of the respondent authorities in response to its application/representation seeking permission to construct the aforesaid bookstall, no impediment would be raised to the construction of the said book stall.

6. Accordingly, the petitioner erected the book stall on October 17, 2026. However, the same was subsequently demolished. The petitioner is not aware as to who demolished the same.

7. The petitioner has thus filed the present writ petition seeking an enquiry in respect of the aforesaid demolition and the petitioner also seeks compensation for the loss and injury suffered by it in respect of such demolition.

8. The petitioner further submits that it had submitted a representation dated October 21, 2026 to, inter alia, the respondent nos. 3 and 5. The petitioner's grievance is that that such representation has not yet been considered and

he prays for an order directing consideration of such representation.

9. Learned advocate representing the State respondents submits that an order directing consideration of such representation will be futile inasmuch as the said bookstall was erected without any permission.

10. I am in agreement with the submission made by the learned Senior Advocate representing the State respondents. It does not appear that any fundamental right of the petitioner has been violated for it to approach this Court in its writ jurisdiction.

11. Since no affidavit has been called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

12. The petitioner will be at liberty to pursue other remedies, if any, available to it in respect of the aforesaid demolition.

13. The writ petition stands dismissed with the aforesaid observations and directions.

14. However, there shall be no order as to costs.

15. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

16. All parties shall act on the basis of the server copy downloaded from the official website of this Court.

(Rishad Medora, J.)