

(2009) 09 CAL CK 0009

Calcutta High Court

Case No: Writ Petition 16175 (W) of 2009

Md. Naziruddin and Another

APPELLANT

Vs

State of West Bengal and
Another

RESPONDENT

Date of Decision: Sept. 11, 2009

Hon'ble Judges: Surinder Singh Nijjar, C.J; Biswanath Somadder, J

Bench: Division Bench

Advocate: Idris Ali, Aparna Samanta and Rajasree Chatterjee, for the Appellant; Balai Chandra Ray, Sandip Srimani, Pratik Dhar and Jayeeta Chakraborty, for the State, for the Respondent

Final Decision: Dismissed

Judgement

1. We have perused the writ petition. We have also heard the impatient submissions of Mr. Ali. Learned counsel vehemently argues that the land allotment in favour of the individuals or the companies where the Vedic Village is situated was illegal and contrary to law. It is also submitted that the land has been taken away from poor persons by unscrupulous method by use of undesirable elements. It is also submitted that one of the Ministers of this state is involved in the allotment of the land. Learned counsel also submitted that the land belongs to all the citizens of West Bengal. It is not the personal or private property of either the Chief Minister or of any individual Minister. Learned counsel further submits that the petitioners are entitled to maintain the public interest litigation. It is submitted that the facts and circumstances of this case are even worse than the facts of the Nandigram case. Therefore, the matter ought to be entertained as a public interest litigation.

2. Learned Advocate General appearing for the State of West Bengal submits that necessary proceedings under the appropriate law have been taken against all the suspects. It is also submitted that the State of West Bengal shall make endeavour to ensure that all the guilty persons are punished in accordance with law.

3. Upon consideration of the entire matter it appears that the writ petition has been filed by two persons, namely Md. Naziruddin, being the petitioner No. 1, and Md. Mofizul Hoque, being the petitioner No. 2. So far as petitioner No. 1 is concerned, he has described himself as the Secretary of Hatiyara Janasanjog Kendra, a registered organization expressing the cause of inhabitants of Hatiyara/Rajarhat. The petitioner No. 2 has described himself to be a member of All India Minority Forum, a philanthropic organization espousing the cause of minorities. Both of them have stated that they are engaged in social welfare activities. They have, however, not bothered to give details or particulars of the nature of the social welfare activities carried out by them, nor have they cared to disclose their locus standi, apart from what has been stated above. It is, thus, patently clear and obvious that the writ petitioners chose to file this writ petition, at an apt time, to join the publicity band-wagon which, of late, adorns the front pages of the local newspapers and the television screens, because of the recent episode which took place in what is commonly known as the "Vedic Village". Neither such publicity-seeking petitioners ought to be encouraged to bring out such writ petitions in the name of "public interest litigation" nor should the courts hesitate to nip such frivolous and misconceived writ petitions, brought out for oblique purposes, at its bud. We, therefore, see no reason to issue any directions and the writ petition stands dismissed.