

46 04.12.19
akb Ct. No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 844 of 2019
Sanjeeb Saha & Anr.
-Versus-
Siliguri Municipal Corporation & Ors.

Mr. Sunil Kumar Sarkar ...For the Petitioners

Mr. Debabrata Dhar, Id. A.G.P.
Ms. Paramita Sahu ...For State Respondents

Mr. Kumar Santanu
Mr. Soumya Dasgupta ...For Respondent Nos.1-3

Mr. Sayan De
Mr. Biplab Das ...For Respondent No. 4

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated November 08, 2019 passed by the Commissioner, Siliguri Municipal Corporation, being the respondent No. 2 herein.

Upon bare perusal of the order, it is clear that the same is succinct and bereft of reasons. By virtue of this order the certificate of enlistment granted to the petitioner has been cancelled.

I have heard the learned Counsel appearing on behalf of the parties and perused the materials placed on record.

In my view, this order is a non-speaking order and is required to be quashed and set aside.

Accordingly, the order impinged is hereby quashed and set aside and the Commissioner, being the respondent No. 2 is directed to grant an opportunity of hearing to the petitioner, private respondents and any other

legal heirs and thereafter pass a reasoned order within a period of four weeks from date.

Respondent No. 2 is also directed to communicate the reasoned order to all the concerned parties within a week from the date of passing the reasoned order.

With the aforesaid observation, the writ petition is disposed of.

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

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Shekhar B. Saraf, J.)