

18.09.2020
Item No. 23
Ct. No.12
PG

**W.P.A. 5881 of 2020
with
C.A.N. 1 of 2020
(Old No. C.A.N. 3979 of 2020)
(Through Video Conference)**

Smt. Chanchala Naskar

Vs.

The State of West Bengal & Ors.

Ms. Pampa Dey (Dhabal).....for the petitioner

Mr. Raghunath Chakraborty.....for the
Maheshtala Municipality

Mr. Balai Lal Sahoo.....for the respondent no. 7

C.A.N. 3979 of 2020 is an application for urgent hearing of the writ petition and is disposed of by taking up the writ petition for consideration.

Petitioner complains of unauthorised construction.

Learned advocate appearing for the Municipality submits that, on inspection, the Municipality found various infractions and is taking steps with regard thereto.

Learned advocate appearing for the private respondent submits that, there exists a sanction plan and that, the construction was made in accordance with Pradhan Mantri Awas Yojana.

Construction in terms Pradhan Mantri Awas Yojana will require a sanction plan. Such Yojana does not obviate the necessity of a construction to adhere to the local Municipal laws. Therefore, the plea that the construction being under the Pradhan Mantri Awas Yojana is thus immune to Municipal laws, is specious, unacceptable and is rejected.

Since Municipality found infraction of Municipal laws in the construction, it will proceed with regard thereto in accordance with law.

It is expected that the Municipality concludes the entire exercise within a period of four weeks from the date of communication of this order to it. It will afford a reasonable opportunity of hearing to the petitioner and the private respondent. It is at liberty to hear such other parties and consult such document that it deems appropriate.

W.P.A. 5881 of 2020 is disposed of.

(Debangsu Basak, J.)