

25.09.2020
Item No. 09
Ct. No.19
PG

**W.P.A. 7046 of 2020
with
I.A. No. C.A.N. 1 of 2020
(Via Video Conference)**

**Sanjay Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Saibal Acharya
Mr. Probal Sarkar.....for petitioner

Mr. Vivekananda Bose
Mr. Avik Ghatak
Mr. Amit Ranjan Pati
Mr. Soham De Dhara.....for private respondent no. 6

Mr. Acharya, learned advocate appears on behalf of petitioner and submits, his client's grievance is regarding illegal construction being carried on by private respondent.

Private respondent is represented by Mr. Bose, learned advocate, who disputes such submission.

Mr. Acharya draws attention to representation dated 13th August, 2020 made by his client to the Administrator/Chairperson, South Dumdum Municipality. He submits, there be direction upon the Municipality to deal with this representation and pass reasoned order with follow up action.

South Dumdum Municipality goes unrepresented. Affidavit-of-service shows postal receipts but track record is not available.

South Dumdum Municipality is directed to deal with and dispose of representation 13th August, 2020 appearing at page-32 of the writ petition. The Municipality will afford opportunity of hearing to petitioner and private respondent and thereupon consider and make a reasoned order regarding the allegation of unauthorised construction. In event the Municipality finds there has been made unauthorised construction, the Municipality will initiate appropriate proceedings to deal with the same. The reasoned order in dealing with the allegation of unauthorised construction must be made three weeks from date of communication of this order.

The writ petition and the connected application are disposed of.

(Arindam Sinha, J.)