

22.12.2020
Item No. 24
Ct. No.4
PG

**W.P.A. 13356 of 2019
(Via Video Conference)**

**Sikha Pal
Vs.
Howrah Municipal Corporation & Ors.**

Mr. Aniket Mitra.....for petitioner

Mr. Sandipan Banerjee
Mr. Ankit Surekha.....for Howrah Municipal
Corporation

Mr. Ayan Mitra.....for private respondents

Mr. Aniket Mitra, learned advocate appears on behalf of petitioner and submits, adjacent to his client's holding, private respondents are constructing Ground+3 storey building without sanction and encroaching on the common passage. Mr. Mitra further submits, his client made representation, which was received by the Corporation on 26th June, 2019. Mr. Banerjee, learned advocate appears on behalf of the Corporation and submits, Ground+1 building was sanctioned.

Mr. Ayan Mitra, learned advocate appears on behalf of private respondents and submits, the dispute is regarding the common passage. Encroachment is by petitioner. Ground+2 has been constructed and the matter placed before the Corporation for sanction on 'as made basis'. He

submits further, the Corporation is not working at present. On query from Court he submits, there is no construction going on at 3rd floor level.

The Corporation is directed to ensure that there is no construction above Ground+2 level. It will consider and deal with said representation upon giving petitioner and private respondents a hearing. Decision taken should be made known to them on or prior to expiry of four weeks from date of communication of the order.

Writ petition disposed of.

Affidavit of service filed, be kept with the record.

(Arindam Sinha, J.)