

Ch. 04.12
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W.P.A. 23613 of 2019

With
IA. No. 1 of 2020 (Substitution)
Sri Ranjit Kumar Patra
-Versus-
The State of West Bengal & Ors.

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
Mr. Kaustav Bhattacharya **...For the Petitioner**

Mr. N.C. Bihani
Ms. Papiya Banerjee **...For Respondent HMC**

Mr. Tanmoy Mukherjee **...For Respondent No. 8**

Re.: IA. No. 1 of 2020 (Substitution)

This application has been filed by the petitioner praying for substitution of the heirs and legal representatives of respondent No. 8, Kashinath Patra, who died intestate on September 22, 2019.

After hearing the parties it appears that the prayer for substitution has been properly explained. Accordingly, IA No. 1 of 2020 is allowed.

Leave is granted to the petitioner to add the heirs and legal representatives as party respondents to this writ proceeding.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the in action on the part of the Howrah Municipal Corporation (HMC) and the private respondent, being the respondent No. 8 with regard to a self-demolition notice issued on September 30, 2019. The above self-demolition notice has been issued upon the respondent No. 8 who has now been substituted by the order passed above by his legal heirs.

Mr. N.C. Bihani, learned Counsel appearing on behalf of the HMC submits that a self-demolition order has also been issued upon the legal heirs on December 03, 2020.

In the light of the same, Howrah Municipal Corporation is directed to act in accordance with law.

It is to be noted that the petitioner is a senior citizen, and therefore, the HMC is directed to take follow up steps as per law expeditiously in the event of default of the private respondents.

With the above observation, this 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.)