

04-03-2020
Court No.3
08/saroj

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 291 OF 2020

**Manoj Kumar Kabra & Ors.. . . .Petitioners.
Vs.
Siliguri Municipal Corpn. & Ors..Respondents.**

Mr. Bikramditya Ghosh,
Mr. Beborshi Dhar.

. . .For the Petitioners.

Mr. Bijoy Bikram Das.

. . .for the respondent nos.1-5.

Affidavit of service filed in Court today be taken
on record.

Learned advocate appearing for the petitioners
submits that the Borough Officer, Borough Office No.II,
Siliguri Municipal Corporation by a notice dated April
28, 2016, requested the private respondents to remove
the unauthorised tin shaded parkings and front side
fibre sheet covers within three days and further directed
to meet the said officer with approved building plan
within three days from the date of receipt of the said
letter.

It is the case of the petitioners that after
issuance of such letter no action has been taken by the
concerned Municipality.

Learned advocate appearing for the Municipality
submits that if a fresh representation is made with
regard to the alleged unauthorised constructions, the

Municipality will hear the private respondents as well as the writ petitioners and pass a reasoned order with regard to the alleged unauthorised construction.

In view of that, this writ petition is disposed of by giving liberty to the writ petitioners to make a comprehensive representation before the concerned Municipality within a period of two weeks from this date. The concerned authority of the Municipality will hear the writ petitioners as well as the private respondents and pass a reasoned order with regard to the alleged unauthorised construction within a period of four weeks from the date of submission of the representation.

The writ petitioner being WPA 291 of 2020 is disposed of without any order as to costs.

Certified website copy of this order, if applied for, be supplied to learned advocates for the parties on compliance of all requisite formalities.

(KAUSIK CHANDA,J.)