

15.02.2021
SL No.28
Court No.24
(gc)

WPA 878 of 2021

**Chandan Sarkar & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee,
Mr. Saptarshi Chakraborty,
Mr. Arghya Kamal Das,
...for the Petitioners.
Mr. Chandi Charan Das. Ld. A.G.P.,
Ms. Reshmi Rahaman,
...for the State.
Mr. Bibek Jyoti Basu,
Mr. Uttam Kr. De,
...for the Municipality.
Mr. Vivek Basu,
Mr. B.J. Basu,
Mr. U.K. De
...for the Respondent Nos.2 to 5.

The petitioners complain that their application praying for sanction of a plan for construction of a temple has not been considered by the Rampurhat Municipality. The petitioners at Page 79 of the writ petition have annexed a letter dated 21st December, 2020 addressed to the Chairperson of the Rampurhat Municipality praying for grant of sanction for construction of temple in the said premises. The said letter was sent through post.

The learned Advocate representing the Rampurhat Municipality submits that the application for sanction has to be made in a prescribed form, along with prescribed fees, which has not been paid by the petitioners.

The petitioners have not been able to show any document that the application for sanction has been made in the prescribed form along with prescribed fees.

Be that as it may, it appears that the application made by the petitioners praying for sanction is pending consideration at the end of the Rampurhat Municipality.

The instant writ petition is accordingly disposed of by directing the respondent No.2, Rampurhat Municipality to take steps for consideration of the application made by the petitioners praying for sanction on 21st December, 2020, strictly in accordance with law, within a period of eight weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioners immediately thereafter. In the event the application made by the petitioners is not in order, the said respondent shall intimate the petitioners the necessary documents and the fees which they are to pay for the purpose of obtaining sanction for constructing the temple in the said premises.

The writ petition is disposed of.

Since no affidavits have been called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)