

27.1.
2021

WPA 913 of 2021
Md Sakil
-vs-
The Howrah Municipal Corporation & Ors.

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Mr. Kaustav Bhattacharya
.... For the petitioner

Mr. Wasim Ahmed
Mr. Tausif Ahmed Khan
.. for the State

Mr. Tarique Quarimuddin,
Mrs. Zainab Tahur
... for the respondent no. 7

Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
..... For the HMC

T The petitioner alleges illegal and unauthorized construction being carried on at Holding No. 59+60, Pilkhana 1st Bye Lane, P.S. Golabari, Post Office- Howrah, Pin-711101.

The petitioner complains that the objection raised against such illegal construction has not been considered by the respondent authorities till date.

Learned advocate appearing for the Howrah Municipal Corporation submits, upon instruction, that on receipt of the complaint the Officer of the Corporation visited the site and illegal construction has been detected. Steps have been taken by the Corporation to deal with such illegal construction.

The writ petition is accordingly disposed

of by directing the respondent no.3 to consider and dispose of the representation made by the petitioner, strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties, including the petitioner, within a period of twelve 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 all the necessary parties, including the petitioner, immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of the representation dated 26th November, 2020 to the aforesaid respondent at the time of communicating the order of the Court.

W.P.A. 913 of 2021 stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J .)