

26.08.2021
Court No. 19
Item no.11
sn

WPA No. 2559 of 2021

KABITA MONDAL VS. GHATAL
MUNICIPALITY & ORS.

(via video conference)

Mr. Tanmoy Mukherjee

Mr. Koushik Roy

..for the petitioner

Mr. Rwitendra Banerjee

Mr. Sandip Kundu

Mr. Debabrata Pathak ..for the respondent no.8

Mr. Swarup Kumar Ghosh...for the respdt. nos.1-3

The writ petitioner is based on the reply of the SPIO of the Ghatal Municipality. The petitioner applied before the municipality under the Right to Information Act, 2005 to ascertain whether the shop in the name of Swapna Garments over R.S. Dag No. 192 in Ward No.16 of the Ghatal Municipality was constructed on the basis of a sanction plan.

Reference is made to the reply under the Right to Information Act, 2005, from which it appears that no sanction plan in the name of Smt. Puspa Rani Saha, in respect of plot no. 192, Ward No. 16 had been granted by the said municipality.

Mr. Banerjee, learned advocate appearing on behalf of the respondent no.8 submits that the said respondent was granted a sanction plan to construct

a shop room and a trade licence has also been issued in her favour.

There are disputed question of facts. The writ petition is disposed of with a direction upon the Administrator, Ghatal municipality to dispose of the representation of the petitioner being Annexure-p/2 to the writ petition in accordance with law upon hearing the petitioner as also the respondent no. 8.

The concerned authority shall hold an inspection in presence of the parties and decide the issues in accordance with law, thereby reaching the same to its logical conclusion. A reasoned order shall be passed and communicated to all concerned.

The entire exercise shall be completed within a period of four months from the date of communication of this order.

The writ petition is thus disposed of.

There will be, however, no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)