

07 12.01.2021

Ct-24

WPA 1806 of 2020

Angus Jute Works

Vs.

The Champdani Municipality & Ors.

ar

Mr. Kajal Ray
Mr. Aditya Sen

... For the Petitioner

Mr. Basudeb Gayen

... For the Champdani Municipality

Affidavit of service filed in Court be kept with the record.

None appears on behalf of the private respondent, despite service.

The petitioner alleges that illegal and unauthorized construction is being made in R.S. Plot No. 2701 corresponding to L.R. Plot no. 2801, Khatian no. 292/3, Mouza- Gourhati Champdani, P.S- Bhadreswar, District-Hooghly.

The petitioner has made a representation to the Chairman of the Champdani Municipality by a letter dated 16th October, 2019 and also before the Inspector-in-Charge of Bhadreswar Police Station by letter dated 13th October, 2020. The petitioner has also made representation before the Executive Officer of the Champdani Municipality by a letter dated 2nd November, 2019.

The petitioner alleges that none of the representations has been considered by the authority till date.

Learned advocate representing Champdani Municipality submits, upon instructions, that no plan has been sanctioned by the Municipality for making construction in the aforesaid plot of land.

As it appears that the prayer of the petitioner is pending consideration at the end of the Municipality, no useful purpose will be served by keeping this writ petition pending.

The same is accordingly disposed of by directing the Board of Councillors of the Champdani Municipality to consider the representation made by the petitioner strictly in accordance with law.

The Board of Councillors shall pass a reasoned order after giving an opportunity of hearing to the petitioner and all other necessary parties within a period of five months from the date of communication of this order and communicate the reasoned order to the petitioner and all other necessary parties immediately thereafter.

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

The petitioner is directed to forward a copy of the representation made by him at the time of communication of a copy of this order.

WPA 1806 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)

