

WPA 1177 of 2016

Subal Kumar Das & anr.

Vs.

The State of West Bengal & Ors.

Mr. Pratik Dhar, Sr. Adv.,
Mr. Pappu Adhikari,

...for the petitioners.

Mr. Subir Sanyal,
Mr. Saktipada Jana,

...for the private respondents.

Mr. Koushik Chatterjee,
Mr. Nilanjan Adhikari,
Ms. Sreya Chakraborty,

...for the respondent nos. 10 and 11.

Heard the parties.

It is fairly submitted by Mr. Sanyal appearing on behalf of the private respondents that in view of the report submitted by the Municipality, the writ petition can be disposed of by directing the Municipality to draw up an appropriate proceeding under Section 218 of the West Bengal Municipal Act, 1993 and liberty be given to Mr. Sanyal's client to defend the proceedings in accordance with law.

Mr. Dhar appearing for the petitioners has no objection to the aforesaid order being passed.

In view of the submissions made on behalf of the parties, WPA 1177 of 2016 is disposed off by granting liberty to the Municipal Authorities to draw up a proceeding under Section 218 of the West Bengal Municipal Act, 1993 in accordance with law in view of the Report submitted by them in this proceeding. If

such a proceeding is initiated, Mr. Sanyal's client is granted liberty to defend the proceedings in accordance with law.

I make it clear that I have not gone into the merits of the controversy and the respondents will not be influenced on the merits by any observation made in this order.

It is expected that the aforesaid proceedings will be completed within a period of six months from the date of passing of this order.

(Ravi Krishan Kapur, J.)