

21.01.2021
SL No.68
Court No.24
(P.M.)

WPA 3129 of 2020

Dipali Ghosh
Vs.
The Howrah Zilla Parishad & Ors.

Mr. Animesh Paul,
Ms. Fatima Hassan
... for the petitioner

Mr. Satyajit Talukdar
... for the respondent No. 6,7 and 8.

Ms. Monjuli Chowdhury,
Ms. Mekhla Sinha,
Ms. Tina Biswas
... for Howrah Zilla Parishad

Affidavit of service filed by the petitioner is kept with the record.

The petitioner alleges illegal and unauthorized construction being carried on in L.R. Dag No. 1731 L.R. Khatian No. 2756, J.L. No. 15, Mouza – Dakshin Jhapordah, Police Station Domjur, Howrah.

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

The specific allegation of the petitioner is that the Pradhan is not the competent authority to sanction the building plan in respect of the aforesaid land which falls within the jurisdiction of Howrah Zilla Parishad.

As it appears that the representation of the petitioner objecting to the illegal and unauthorized construction is pending consideration at the end of the respondent

authorities, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no. 3 being the Executive Engineer, Howrah Zilla Parishad 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 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 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 1st October, 2019 to the aforesaid respondent at the time of communicating the order of the Court.

WPA 3129 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)

