

15
02.07.2021.
d.p.

**W.P.A 5540 of 2021
(Via Video Conference)**

**Shrimati Kusumlata Dhal & Ors.
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Sourav Sen.
...For the Petitioners.**

**Mr. Achintya Kumar Banerjee,
Mr. Subhrangsu Panda.
...For the KMC.**

The petitioners pray for a direction upon the competent authority for assessing the fees for regularization in terms of the order dated 24th September, 2020 passed by the Special Officer Building, Kolkata Municipal Corporation in Demolition Case No. 46-D/Bor.-X/19-20.

The petitioners made a representation praying for calculation of the necessary fees by a representation forwarded to the Assistant Engineer (Civil) Building Department by a letter posted on 15th January, 2021.

The petitioners complain that the said representation has not been considered by the authority till date.

The learned advocate appearing for the Kolkata Municipal Corporation submits that the Assistant Engineer (Civil) to whom the representation was forwarded is not the competent authority to take a decision in the matter.

It has been submitted that the representation is required to be addressed to the Municipal Commissioner for passing necessary order in this matter.

Upon hearing the submissions made on behalf of both the parties, the petitioners are granted leave to file appropriate representation along with supporting documents before the Municipal Commissioner being the respondent No. 2 herein.

In the event such a representation is made, the same shall be considered by the aforesaid respondent strictly in accordance with law, at the earliest, but positively 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 the petitioners immediately thereafter.

WPA 5540 of 2021 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.)