

S/L 10
17.08.2021
Court. No. 19
GB

WPA 6479 of 2021

Dipti Das
Vs.
The Konnagar Municipality & ors.

(Through Video Conference)

*Mr. Mainak Ganguly,
Mr. Abhishek Singh.*

...for the Petitioner.

*Mr. Triptimoy Talukder,
Mr. Diptomoy Talukder.*

...for the Municipality.

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

Despite service none appears on behalf of the respondent no.6.

Learned advocate for the Konnagar Municipality appears before this Court.

It is submitted by the learned advocate for the municipality that pursuant to the complaint of the petitioner a stop work notice has been issued upon the respondent no.6. Thereafter, the respondent no.6 has not raised further construction.

As the municipality has already taken steps on the basis of the complaint, this writ petition is disposed of with a direction upon the municipality to initiate appropriate proceeding in accordance with law and reach the same to its logical conclusion. The municipality shall make an

inspection of the premises in presence of the petitioner as also the respondent no.6. A copy of the report shall be furnished to the parties. Thereafter, a hearing should be given and a reasoned order should be passed and the same should be communicated to all concerned. All steps should be taken by the municipality by giving an opportunity to both the parties to place their cases before the municipality. The municipality shall reach the proceeding to its logical conclusion in terms of the statute. The municipality is also at liberty to implement its order by way of interim measures, if it is found that there has been any violation by the respondent no.6.

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

This Court has not gone into the correctness of the claims of the petitioner. The municipal authorities shall discharge their functions in accordance with law.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)