

Sl. 9
Ct. No. 19
16.08.2021
tbsr

(via video conference)

WPA 7857 of 2021

Raktim Roy

-vs-

The Naihati Municipality and others

Mr. Atarup Banerjee,

Mr. Aranya Saha.

...for the petitioner

Despite service none appears either on behalf of the Naihati Municipality or on behalf of the respondent no. 6.

Affidavit-of-service is taken on record.

The petitioner has alleged illegal and unauthorized construction by the respondent no. 6 on the neighbouring plot to holding no. 63/3, Balivasa Road. It is alleged that the respondent No. 6 has been carrying on an unauthorized construction on a portion of a plot of land, adjacent to the land of the petitioner. A complaint has been lodged before the Chairperson of Naihati Municipality.

The petitioner is granted liberty to approach the competent authority of the Naihati Municipality in accordance with law. The competent authority of the

municipality shall look into the grievance of the petitioner and make an inspection and pass a reasoned order. The same shall be communicated to all concerned. The respondent no. 6 as also the petitioner shall be present during this inspection.

Copy of the inspection report shall be given to the parties and the hearing shall be held in presence of the parties.

This Court has not gone into the merits of the claims and counter-claims of the parties and the municipality should act and proceed in accordance with law.

The entire exercise shall be completed within a period of 12 weeks from date of receipt of the complaint/application of the petitioner.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)