

S/L 4
20.07.2021
Court. No. 19
GB

W.P.A. 8799 of 2021

Gourav Singh
Vs.
Howrah Municipal Corporation & Ors.

(Through Video Conference)

Ms. Shebatee Datta.

...for the Petitioner.

*Mr. Saunak Bhattacharyya,
Mr. Saunak Mondal,
Mr. Ganesh Manna.*

...for the Respondent Nos.6 & 7.

Mr. Sandipan Banerjee.

...for the Howrah Municipal Corporation.

*Mr. Santanu Kumar Mitra,
Mr. Mirza Kamuruddin.*

...for the State.

The writ petition has been filed challenging inaction on the part of the Howrah Municipal Corporation in disposing of the complaint of the petitioner made to the Commissioner, Howrah Municipal Corporation. The complaint is marked Annexure P-3 to this writ petition. The said complaint was received by the Municipal Corporation on March 17, 2021.

It is the contention of the petitioner that despite receiving such complaint, no steps have been taken by the municipal authorities, although, the allegations are with regard to unauthorised and illegal construction. The alleged unauthorized construction is being carried on at Premises

No.53/3/C, Rabindra Sarani, Post Office and Police Station Liluah.

Mr. Banerjee, learned advocate appearing on behalf of the Howrah Municipal Corporation submits that the petitioner has already filed an application under the Right To Information Act, seeking certain information with regard to the sanction plan of the building in question.

Mr. Bhattacharyya, learned advocate appearing on behalf of the respondent nos.6 and 7 submits that the building is being constructed strictly in accordance with the sanction plan and there has neither been any deviation from the sanction plan, nor violation of the building rules.

Having heard the rival contentions of the respective parties, the writ petition is disposed of with a direction upon the competent authority of the Howrah Municipal Corporation to consider and dispose of the complaint filed by the petitioner in accordance with law. The competent authority shall inspect the premises in question in presence of the parties. The report of the inspection shall be handed over to the parties. The proceeding initiated shall be reached to its logical conclusion. The municipal authorities shall also be entitled to implement interim measures, if required, under the law.

It is made clear that the entire proceeding shall be conducted as per the provision of the statute upon granting reasonable opportunity of hearing to all parties and a

reasoned order shall be passed and communicated to all concerned.

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

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.)