

30.06.2021
(S/L-23)
Ct.-24
(S.K. & S.M)

(Via Video Conference)

W.P.A. 10773 of 2021

Raj Kumar Banerjee

-Vs-

The State of West Bengal & Ors.

Mr. Soumyajit Bhatta

..... For the Petitioner.

Mr. Arijit Dey

... For the Baranagar Municipality.

The primary grievance of the petitioner is that a portion of the notice dated 6th May, 2013 issued under Section 218 (1) of the West Bengal Municipal Act, 1993 by the Baranagar Municipality, specifically the point no. 2 as mentioned in the said notice has not been complied with till date.

The petitioner made representation himself before the Baranagar Municipality on 24th December, 2019 and again followed up by a notice demanding justice through his learned advocate on 9th October, 2020 and alleges that none of the above has been considered by the respondent authorities till date.

Be it recorded that there was several other legal proceedings by and between the parties challenging the said notice before this Court and orders had been passed time to time in respect of the same.

Presently the petitioner prays for compliance of the serial no. 2 as mentioned in the notice under reference.

The learned advocate for the Municipality submits that necessary steps shall be taken by the Municipality to ensure total compliance of the notice under reference.

In view of the submissions made on behalf of the parties, the instant writ petition is disposed of by directing the competent officer of the Baranagar Municipality to take necessary steps for consideration of the representation filed by the petitioner on 24th December, 2019 followed by the notice demanding justice dated 9th October, 2020 strictly in accordance with law, at the earliest, but positively within a period of ten weeks from the date of communication of a copy of this order.

The Baranagar Municipality shall give an opportunity of hearing to the petitioner and all other necessary parties and shall pass a reasoned order and communicate the same to the parties immediately thereafter.

The writ petition 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.)