

S/L 6
13.07.2021
Court. No. 19
GB

W.P.A. 10909 of 2021

Smt. Bina Ray
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Mani Sankar Chattopadhyay.
...for the Petitioner.

Mr. Ranajit Chatterjee,
Mr. Subhrangsu Panda.
...for the K.M.C.

Affidavit-of-service is taken on record.

The learned advocate for the Kolkata Municipal Corporation is present before this Court.

The respondent nos.6 and 7 have refused service. The postal articles with the endorsement "Refused" is filed before the Court. The respondent no.8 has not claimed the postal article.

The petitioner alleges unauthorized construction by the respondent nos.6, 7 and 8. It is contended that the respondent nos.6 and 7 are the owners of the land and the respondent no.8 is the developer. A complaint has been lodged before the Executive Engineer (Building) Department, Borough – VII, Kolkata Municipal Corporation and also to the Commissioner of the Kolkata Municipal Corporation alleging such unauthorized construction on the part of the respondent nos.6 to 8. It is also submitted that the

Kolkata Municipal Corporation and its officials after receiving the complaint have not taken any steps in the matter.

Without going into the merits of the claim of the petitioner, this writ petition is disposed of with a direction upon the respondent no.4 to dispose of the representation/complaint of the petitioner in accordance with law upon hearing the petitioner, the representatives of the respondent nos.6, 7 and 8 and any other authority, who may be relevant in this regard. The officials of the Kolkata Municipal Corporation shall make a spot enquiry or inspection within a period of ten days from date in the presence of the respective parties. Two days prior notice be given to the respective parties. A report of such enquiry shall be handed over to the respective parties. On the basis of the enquiry/inspection report, the authority shall proceed in accordance with law.

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

Accordingly, the writ petition is disposed of.

There will be however no order as to costs.

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

(Shampa Sarkar, J.)