

13.07.2021
Ct. No. 19
sdas
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WPA 10935 of 2021

Sarbani Biswas
Vs.
South Dum Dum Municipality & Ors.
(Via Video Conference)

Mr. Sourjya Das
..... for the petitioner

Ms. Mousumi Bhowal
..... for the respondent no. 2

The petitioner has alleged illegal construction made by the respondent no. 2.

It is submitted by the learned advocate appearing for the petitioner that despite several representations before the South Dum Dum Municipality no steps have been taken against such illegal and unauthorised construction.

Under such circumstances, this writ petition is disposed of with a direction upon the competent authority of the South Dum Dum Municipality to dispose of the representation of the petitioner upon hearing the petitioner and the respondent no. 2 and pass an order in accordance with law. The reasoned

order should be communicated to all concerned. The competent authority of the South Dum Dum Municipality shall make an inspection in the presence of the respective parties and take such steps as may be necessary under the law including issuance of an order of stop work during pendency of the consideration of the entire matter. Ultimately if it is found that construction is unauthorised then the municipal authorities shall act and proceed in accordance with law and reach the proceedings to its logical conclusion.

The entire exercise should be completed within a period of ten weeks from the date of communication of this order. This Court has not gone into the merits of the claims and counter-claims of the respective parties. The municipal authorities shall decide the issue independently and in accordance with provisions of the statute.

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.)