

14.07.2021
Sl. No.10
srm

W.P.A. No. 11037 of 2021

Samir Saha
Vs.
South Dum Dum Municipality & Ors.

Ms. Sanjukta Mukherjee,
Mr. Ashish Kumar Mukherjee,
Mr. Saurabh Prasad

...for the Petitioner.

Ms. Mousumi Bhowal

...for the Municipality.

Despite service none appears on behalf of the respondent No.5.

Affidavit-of-service is taken on record.

This writ petition has been filed challenging inaction on the part of the competent authority of the South Dum Dum Municipality in responding to the complaint lodged by the petitioner against the alleged unauthorised construction raised by the respondent No.5.

None appears on behalf of the respondent No.5. As the prayer of the petitioner is being innocuous, this writ petition is disposed of with a direction upon the competent authority of the South Dum Dum Municipality to dispose of the representation dated March 24, 2021, which was received on March 27, 2021. A hearing shall be given to the petitioner and the respondent No.5. The authority shall hold a spot enquiry/inspection in presence of the parties and steps shall be

taken in order to uphold the provisions of law. If any unauthorised or illegal construction is detected the authority must proceed in accordance with law upon following the principles of natural justice.

This Court has not gone into the legality of the claim of the petitioner and the municipal authority shall deal with the same independently.

The entire exercise shall be completed within a period of 12 weeks from the date of communication of this order.

The writ petition is, thus, 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.)