

20.07.2021
Court No. 19
Item no.14
CP

WPA 11174 of 2021

Sumanta Mukherjee
Vs.
The Howrah Municipal Corporation & ors.
(via video conference)

Mr. Debanik Banerjee

....for the petitioner.

Mr. Sandipan Banerjee
Mr. Ankit Surekha

....for the HMC respondent.

Affidavit of service is taken on record.

None appears on behalf of the respondent nos.
6 and 7, despite service.

The petitioner has alleged that the Howrah Municipal Corporation has not taken any steps on the basis of the complaint lodged by the petitioner dated April 30, 2021. The allegation is with regard to an unauthorized construction at Premises No. 3, Fakir Chandra Pathak Lane, Police Station – Bally.

Mr. Sandipan Banerjee, learned advocate appearing on behalf of the Howrah Municipal Corporation, submits that due to the lockdown declared by the State, immediate steps could not be taken with regard to the allegations. However,

subsequently an inspection has been made and the inspection report is being prepared.

Having heard the submissions of the Howrah Municipal Corporation, this court is of the opinion that no further purpose will be served in keeping the writ petition pending. The municipal corporation has already initiated proceedings.

The writ petition is disposed of with a direction upon the competent authority of the Howrah Municipal Corporation to complete the proceedings and reach the same to its logical conclusion on the basis of the inspection report.

It goes without saying that the provisions of the statute shall be strictly adhered to and the principles of natural justice shall be observed. All parties should be heard.

A reasoned order shall be passed and communicated to all the parties.

The entire exercise should be completed within a period of 3 months from the date of communication of this order.

With the above observations, this writ petition is disposed of. There shall be no order as to costs. This court has not decided the merits.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)