

27.07.2021
Sl. No.16
srn

W.P.A. No. 11175 of 2021
Sukanta Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Palash Chandra Podder
...for the Petitioner.
Mr. Dwarika Nath Mukherjee,
Mr. Manik Lal De
...for the State.

Despite service none appears on behalf of the respondent Nos.2 and 3. State is represented.

This writ petition has been filed challenging inaction on the part of the competent authority of the Shantipur Municipality in disposing of the complaint of the petitioner dated July 2, 2021 being Annexure P4 to the writ petition.

It is the contention of the petitioner that the respondent No.3 has started construction of his dwelling house adjoining the land of the petitioner, without proper permission/sanction from the Shantipur Municipality.

Records reveal that the petitioner has also lodged a complaint with the Santipur Police Station.

Without going into the merits of the claim of the petitioner, this writ petition is disposed of with a direction upon the competent authority of the Shantipur Municipality to dispose of the complaint/representation dated July 2, 2021

lodged by the petitioner and pass a reasoned order upon hearing the petitioner as also the respondent No.3. The Municipality shall cause an inspection in presence of all the parties. Notice of inspection shall be served upon the petitioner and also the respondent No.3. The minutes of the inspection shall be signed by all the parties. A copy of the report shall be given to all the parties. The competent authority of the Shantipur Municipality shall reach the proceedings to its logical conclusion in accordance with law on the basis of the inspection.

A reasoned order shall be passed and communicated to all concerned. Interim measures, if any, can be adopted by the Municipality.

This Court has not gone into the merits of the writ petition and all points are kept open for the authority to decide.

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

This writ petition is, thus, disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)