

S/L 16
14.09.2021
Court. No. 19
GB

WPA 11292 of 2021

Md. Shafique Khan @ Md. Safik
Vs.
The Howrah Municipal Corporation & Ors.

(Through Video Conference)

Mr. Javed K. Sanwarwala
...for the Petitioner.

Mr. Biswabrata Basu Mallick.
...for the State.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka
...for the H.M.C.

Despite service none appears on behalf of the respondent no.9.

It is submitted by Mr. Sanwarwala, learned advocate for the petitioner that during the pendency of the writ petition the Howrah Municipal Corporation had issued a notice to the petitioner as also to the respondent no.9 to attend a hearing with regard to the allegation of the unauthorized construction. It is submitted that although a hearing took place before the concerned authority, no further orders had been passed nor had the parties been asked to attend further hearings on the self-same issue.

Mr. Banerjee, learned advocate appearing on behalf of the Howrah Municipal Corporation submits that a further hearing would be necessary as certain documents and information would be required from the parties. As the Howrah Municipal Corporation has already taken steps for

disposal of the issues involved, this Court is of the opinion that the writ petition can be disposed of with a direction upon the Howrah Municipal Corporation to notify to the petitioner as also the respondent no.9 the next date of hearing and also intimate the information and documents required to be supplied by the respective parties. Let this notice be issued within a period of two weeks from date.

The parties shall attend the hearing as fixed by the Corporation and the Corporation shall reach the proceeding to its logical conclusion in accordance with law by passing a reasoned order and communicating the same to all the parties.

It is made clear that the Corporation shall complete the proceeding and reach the same to its logical conclusion within a period of three months from date of conclusion of the hearing.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)