

Sl.no.22.
2.12..2021.
Court. No. 19
sn

WPA 11919 of 2021

Arjun Pramanick
Vs.
The State of West Bengal & Ors.
(Through Video Conference)

Mr. Soumik Ganguly
Mr. Avik Kr. Das
Mr. Dilip Kr. Das ... for the Petitioner

Ms. Joyeeta Saha
Mr. Tapan Kr. Ray ..for the State

Mr. B.K. Dey
Ms. Anjana Banerjee ..for the respdt.7

Let the affidavit of service be taken on record.

There is already an order of this Court dated November 9, 2021 directing the Commissioner of Bidhannagar Municipal Corporation to dispose of the representation made by the husband of the respondent no.7 with regard to stop work notice issued by the corporation. The said order was passed in WPA 14080 of 2021.

The petitioner has also made some allegations in this writ petition with regard to some alleged constructions in respect of which the earlier writ petition had been disposed of.

Under such circumstances, the present writ petition is disposed of with a direction upon the Commissioner/ competent authority of the Bidhannagar Municipal Corporation to dispose of the

objection of the petitioner dated March 30, 2021 while disposing of the application/representation made by the husband of the respondent no.7 in terms of the order passed in WPA 14080 of 2021. The representation shall be disposed of and the competent authority of the Corporation shall cause an inspection in presence of the parties. A report shall be prepared and served upon the parties and thereafter a hearing shall be given to all the parties to determine whether there has been any unauthorised construction or not. If it is found that the alleged construction had not been permitted by the Corporation, then necessary steps shall be taken in accordance with law, upon hearing the parties. The contention of the respondent No. 7 that only repairs have been made, shall also be gone into. This order and decision of the Corporation shall not affect the right, title and interest of the parties with regard to the property in question. The consideration will only be limited to the question of unauthorised construction or illegal construction, as to whether any construction has been raised in absence of a sanction plan or in violation of any building rules or plan.

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

The writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)