

10.8.2021
Court No. 19
Item no.12
sn

WPA No. 11993 of 2021

MEHERUNNESA & ORS. VS. STATE OF
WEST BENGAL & ORS.
(via video conference)

Mr. Kallol Basu
Mr. Suman Banerjee

...for the petitioners

Mr. Fazlul Haque
Mr. Galib Rizwan

..for the respondent nos.6-8

This writ petition has been filed challenging inaction on the part of the Maheshtala Municipality in disposing of the complaint lodged by the petitioners dated July 17, 2021. The petitioners have alleged that the respondent nos.6 to 8 have constructed unauthorisedly on premises situated at Dag Nos. 318 and 319, Khatian No.183, J.L. No.6, Mouza Nowapara, Police Station Meshtala, District South 24 Parganas within the jurisdiction of Ward No. 21 of Maheshtala Municipality

Mr. Basu, learned advocate for the petitioners contend that the respondent nos. 6 to 8 not only constructed illegally but they may have also obtained the sanction plan by practicing fraud. Mr. Basu also submits that the construction has been going on rapidly.

Mr. Haque, learned advocate appearing on behalf of the respondent nos. 6 to 8 submits that no

construction has taken place on the land in question. The respondent nos. 6 to 8 have repaired their residence which was destroyed due to the impact of Amphan. According to him, no new construction has been made.

Be that as it may, there is a representation/complaint before the Chairman/Chairperson Board of Administrators, Maheshtala Municipality. The competent authority of the concerned municipality shall take a decision in the matter in accordance with law upon giving an opportunity of hearing to the petitioners as also the respondent nos. 6 to 8.

An inspection of the premises in question shall be held in presence of the parties and thereafter the matter shall be reached to its logical conclusion.

The entire exercise shall be completed within a period of 12 weeks from the date of communication of this order. A hearing shall be given and a reasoned order shall be passed.

This writ petition is disposed of.

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

Parties to act on the server copy of this order.

(Shampa Sarkar, J.)