

S/L 18
01.09.2021
Court. No. 19
GB

WPA 13150 of 2021

Sk. Ramjan Ali & Ors.
Vs.
The Howrah Municipal Corporation & Ors.

(Through Video Conference)

Mr. Jayanta Samanta,
Ms. Karunamoyee Samanta.

...for the Petitioners.

Mr. Sandipan Banerjee.

...for the H.M.C.

Mr. Biswabrata Basu Mallick,
Mr. Pinaki Bhattacharyya.

...for the State.

Affidavit-of-service filed in Court today be kept with
the record.

Despite service none appears on behalf of the
respondent nos.4 to 7.

The petitioners allege illegal construction on Dag
No.297 at Dakshin Baksara, (Musalman Para) near Ketopul,
Post Office – Baksara, Police Station – Santragachhi, District
– Howrah.

The petitioners have lodged complaints with the
Howrah Municipal Corporation but neither the
Commissioner nor the Mayor-in-Council have taken any
steps pursuant to the said complaints. Records reveal that
the complaints were lodged by the petitioners on August 16,
2021.

Mr. Banerjee, learned advocate appearing on behalf of
the Howrah Municipal Corporation submits that some time

may be required for the authorities to consider and dispose of the complaints of the petitioners.

Upon hearing the parties, this Court is of the opinion that the appropriate authority of the Howrah Municipal Corporation must dispose of the representation of the petitioners dated August 16, 2021 in accordance with law and upon hearing the petitioners as also the respondent nos.4 to 7 and any other interested party. A reasoned order shall be passed and communicated to all concerned.

Needless to mention, that the corporation shall act and proceed in accordance with law and take all such steps that may be necessary to ensure that no unauthorized or illegal construction takes place. If necessary, the corporation shall make an inspection of the premises in question in presence of the parties and supply the report of such inspection to the respective parties before holding the hearing.

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

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All parties are directed to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)