

03.11.2021

Item No.07
Court No.06
Vacation Bench
DC & AM

WPA No. 17458 of 2021 (Via Video Conferencing)

In re: An application under Article 226 of the
Constitution of India;

And

In re: M/s. D.A Enterprise & anr.

-vs-

The Baranagar Municipality & ors.

Mr. Kushal Chatterjee,

Mr. Debabrata Roy

... For the petitioners

Mr. Samrat Chowdhury

...For the private respondents

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

Heard learned advocates appearing for
the petitioners and the private respondents.

In spite of service, none appears on
behalf of the respondent Municipal Authority.

The main grievance of the petitioners in
this writ petition is the alleged inaction on the
part of the respondent Municipal Authority in
taking action against the alleged unauthorised
constructions made by the private respondents
at the premises in question against which the
petitioners have made the representation on
8th October, 2021 before the Administrator,
Baranagar Municipality Authority as it
appears at page 118 of this writ petition.

Considering the submission of the parties, this writ petition is disposed of by directing the Administrator, Baranagar Municipality/respondent no.2 to consider and dispose of the representation dated 8th October, 2021 made by the petitioners, in accordance with law by passing a reasoned and speaking order after giving an opportunity of hearing to the petitioners as well as the private respondents within four weeks from the date of communication of this order.

It is recorded that this Court has not gone into the merits of the allegations made in this writ and the respondent concerned while considering the said representation will act strictly, in accordance with law.

With the aforesaid directions, the writ petition being WPA 17458 of 2021 is disposed of.

There shall be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Md. Nizamuddin, J.)