

12.04.2021
SL No. 18
Court No.24
(P.M.)

WPA 16489 of 2019
Jaydeb Bhattacharya
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Soumya Das Gupta,
Ms. Tanuta Guray

... for the petitioner

Mr. Subhrangshu Panda,

... for Kolkata Municipal
Corporation

The petitioner prays for a direction upon the Kolkata Municipal Corporation to take steps for removal of the khatal which is being run in the premises No. 20/H/3 and 21/H/3, Garcha 2nd Lane presently renamed as Dover Terrace, Ward No. 85, P.S. Gariahat, Kolkata – 700019 under the Kolkata Municipal Corporation.

The petitioner made a formal complaint before the Kolkata Municipal Corporation by a letter dated 19th February, 2019. The petitioner complains that the same has not been taken into consideration till date.

It appears from the documents annexed to the writ petition that the Environmental Engineer, Public Grievance Cell of the West Bengal Pollution Control Board by a letter dated 28th May, 2019 requested the Commissioner of the Kolkata Municipal Corporation to take steps pursuant to the complaint lodged by the petitioner.

The petitioner complains that no steps have been taken by the Kolkata Municipal Corporation for removal of the khatal till date.

The learned advocate appearing on behalf of the Kolkata Municipal Corporation does not have any instruction in the matter.

As it appears that the complaint lodged by the petitioner against the running of the khatal in the aforesaid premises is pending consideration at the end of the Kolkata Municipal Corporation, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the Municipal Commissioner being the respondent No. 3 herein to take necessary steps for consideration of the representation made by the petitioner strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties, at the earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to all the necessary parties, immediately thereafter.

WPA 16489 of 2019 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)