

Court No. 24

12.03.2021

(Item No. 9)

(AB)

W.P.A 22687 of 2019

Asitendu Das & Ors.

vs

The State of West Bengal & Ors.

Mr. Joy Chakraborty

Mr. Sandip Dinda

..... for the petitioners

Mr. Monaj Mondal

..... for respondent No. 8

Mr. Debabrata Saha Roy

Mr. Arka K. Nag

Mr. Subhankar Das

..... for Bidhan Nagar Municipal Corpn.

Mr. Tapas Kumar Adhhikari

.... For the State

The petitioners pray for implementation of the direction for demolition passed by the Commissioner, Bidhan Nagar Municipal Corporation as communicated to the petitioners by a communicating letter dated 14th March, 2019.

The private respondents who are responsible for demolishing the unauthorized construction, submits that, an appeal has been preferred against the order of the Commissioner, Bidhan Nagar Municipal Corporation before the Mayor within the time as specified in law. It has been submitted that the said appeal is pending consideration before the Mayor till date.

As it appears that the private respondents have already preferred an appeal which is pending consideration before the Mayor of the Bidhan Nagar Municipal Corporation, accordingly, the instant writ

petitioner is disposed of by directing the Bidhan Nagar Municipal Corporation being the respondent No. 2 herein to act, strictly in accordance with law, after a decision is taken by the Mayor in the appeal preferred by the private respondents.

The Mayor of the Bidhan Nagar Municipal Corporation shall endeavour to dispose of the appeal at the earliest, but positively within a period of four months from the date of communication of a copy of this order.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)