

Sl. 415
23.12.2021
Ct. No. 15
tbsr

WPA 28398 of 2006

Ashoke Kumar Singh

-vs.-

Sreerampore Municipality & Ors.

Mr. Sukumar Ghosh,
Mrs. Moumita Ghosh
.....for the petitioner

Writ petition is taken up for hearing, when Mr. Sukumar Ghosh, learned advocate appears on behalf of the writ petitioner and submits that the notice dated 15th December, 2006 issued by the Chairman, Sreerampore Municipality was put under challenge by filing this writ petition.

On perusal of the said notice dated 15th December, 2006 it appears that the Chairman of the said Municipality requested for submission of relevant documents including order of the Civil Court within a particular time, failing which the said Municipality was to take steps accordingly. On perusal of the order passed previously by this Court, it appears no restraint order was passed upon the Sreerampore Municipality from taking steps pursuant to the said notice dated 15th December, 2006.

In addition thereto, it appears from the order dated 16th July, 2010 passed by a Co-ordinate Bench

that leave was sought for on behalf of the writ petitioner for filing of substitution application since respondent no. 3 and 5 had expired during pendency of the writ petition. From the record, it appears that in spite of such leave granted on 16th July, 2010 no steps were taken for substitution.

In view of the aforesaid situation, it appears nothing remains to be decided on this writ petition and same stands dismissed with liberty to the writ petitioner to file writ petition afresh, if so advised, on the shelf same cause of action.

(Saugata Bhattacharyya, J.)