

12.01.2021
SL No.20
Court No.24
(P.M.)

**WPA 7146 of 2020
With
IA No. CAN 1 of 2020**

**Shyamal Sarkar
Vs.
The Cooch Behar Municipality & Ors**

Mr. Kunaljit Bhattacharjee
... for the petitioner

Mr. Santanu Chatterjee
... for the Cooch Behar Municipality

Ms. Suman Senanabis
... for the private respondent.

The petitioner alleges that the private respondent has made construction in the premises in question without obtaining any plan from the Cooch Behar Municipality.

The learned advocate representing the private respondent submits that plan had been submitted for sanction vide docket No. 2237 dated 30th September, 2020.

The Cooch Behar Municipality has filed a report wherefrom it appears that the premises in question do not have any sanction plan and the construction is going on without any plan.

As it appears that the construction is being made by the private respondent without obtaining any plan sanctioned by the Municipality, the instant writ petition is disposed of by directing the Cooch Behar Municipality to take necessary steps in connection with the illegal construction that is being made in the premises in question, strictly in accordance with law.

Necessary steps shall be taken by the Municipality within a period of five months from the date of communication of a copy of this order.

WPA 7146 of 2020 and the connected application CAN 1 of 2020 stands disposed of.

The report filed by the Chairperson, Board of Administrator, Cooch Behar Municipality is retained with the records.

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

(Amrita Sinha, J.)