

27.1.
2021

WPA 11690 of 2020
Sikha Acharya & Ors.

-vs-

Bidhannagar Municipal Corporation & Ors.

Mr. Kamalesh Jha,
Ms. Srabani Biswas
.. for the Petitioners

Mr. Debabrata Saha Roy,
Mr. Arka Kumar Nag,
Mr. Subhankar Das
..... for the B.M.C.

The petitioner prays for a direction upon the Bidhannagar Municipal Corporation to consider his application praying for sanction of the revised building plan in Plot No. 29, Block-AA, Sector-I, Salt Lake City, Kolkata-7000 64.

Learned advocate for the Bidhannagar Municipal Corporation submits, upon instruction, that plan was originally sanctioned in respect of the said premises in the year 1991. The said plan was revalidated in the year 1996. The petitioner could not complete the construction within the extended period. The writ petitioner also did not apply before the Corporation, praying for extension of time for completion of the building, within the validity period of the plan. After lapse of a considerable period of time, the petitioner in the year 2018 submitted a revised building plan with a request for sanctioning the same.

It appears from record that officers of the Bidhannagar Municipal Corporation have inspected the premises in question, and it has come to their notice that there has been unauthorized construction in the building. The building has been let out to occupiers without obtaining the completion certificate from the competent authority. It has further been noticed that the second floor of the building has been

constructed without a valid approved building plan.

Be that as it may, as the prayer of the petitioner praying for permission for sanction of the revised building plan is pending consideration at the end of Bidhannagar Municipal Corporation, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the concerned officer of the Bidhannagar Municipal Corporation to take necessary steps for consideration of the prayer of the petitioner made by way of representation dated 17th February, 2020, strictly in accordance with law, within a period of eight weeks from the date of communication of the copy of this order. The respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter. The Bidhannagar Municipal Corporation shall afford an opportunity of hearing to the petitioner prior to taking any decision in the matter.

WPA 11690 of 2020 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 .)