

Sl. No.131
26.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 425 of 2022

Santanu Naskar @ Shanta Naskar @ Shantu
Naskar
Versus
The State of West Bengal & Ors.

Mr. Uday Sankar Bhattacharyya
Mr. Abhisek Addhya
Mr. Dilip Kumar Mondal
... for the Petitioner.
Mr. Sirsanya Bandopadhyay
Mr. A. K. Nag.
Mr. Tirthankar Dey,
... for BMC.

The petitioner complains that the private respondent is carrying on illegal and unauthorised construction without leaving the mandatory side open spaces.

The petitioner complains that the representation filed against such unauthorised construction has not been acted upon by the respondents.

None appears on behalf of the private respondents despite service.

Affidavit of service filed in Court is taken on records.

Learned advocate representing the Bidhannagar Municipal Corporation has submitted the communication

made by the Executive Engineer, Bidhannagar Municipal Corporation on 27th May, 2022 directing the person responsible to show cause in respect of the construction made by him. The person responsible has also been directed to stop construction work in the said plot.

As it appears that the Corporation has already issued a stop work notice to the private respondents, the Corporation is directed to conclude the proceeding that has been initiated in response to the complaint filed by the petitioner strictly in accordance with law, at the earliest, but positively within a period of four months from the date of communication of this order.

An opportunity of hearing shall be afforded to both the parties prior to passing the final order in the matter.

Communication dated 27th May, 2022 issued in favour of the private respondent be retained with the records.

The Bidhannagar Municipal Corporation shall ensure that no unauthorised construction is carried on in the subject premises till the matter is finally decided by the Corporation.

The writ petition 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.)