

Sl. No.505(M L)
26.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 2551 of 2022

Smt. Lakshmi Bose & Anr.
Versus
The State of West Bengal & Ors.

Mr. Rameshwar Sinha
... for the petitioners
Mr. Jay Chakraborty
... for the respondent nos.8 to 11
Mr. Ayan Banerjee
Ms. Debasree Dhamali
... for Bally Municipality

The petitioners complain of unauthorised and illegal construction at the instance of the respondent no.12. The private respondent denies such allegation.

Learned advocate for the Municipality has obtained instruction from the Municipality wherein it is mentioned that the owner constructed a single storied building without leaving the mandatory side open spaces and the owner could not produce any sanctioned plan in respect of the construction at the time of inspection.

The Municipality is directed to proceed strictly in accordance with law to deal with any unauthorised construction made in the holding No.43/1/55/B, Dharmatolla Road, Ward No.11 under Bally Municipality.

An opportunity of hearing be given to the parties.

The Municipality shall pass a final order in the matter within a period of twelve weeks from the date of communication of this order and communicate the reasoned order to the parties immediately thereafter.

Instruction given by the Bally Municipality be retained with the records.

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.)