

Item No. 23

12.12.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 4491 of 2020
Mohit Ranjan Roy

v.

The State of West Bengal & Ors.

Mr. Debasish Chattopadhyay
Mr. Loknath Paul
Mr. Tirthankar Basu
... for the petitioner.

Mr. Rohit Das
Ms. Kishwar Rahman
Ms. Subhasri Chatterjee
... for the respondent no. 8.

None appears on behalf of the Kalyani Municipality.

There is no proof of service of the writ petition upon the Kalyani Municipality supported by an affidavit.

The private respondent no. 8 is represented by the learned advocate.

The grievance of the petitioner is that the private respondents have illegally changed the mode of use of the residential premises at 'Jayanti Apartment', Holding No. B-10/266, Kalyani, Nadia.

The petitioner refers to the information provided by the Kalyani Municipality in response to the query made under the Right to Information Act. According to the petitioner the private respondents are using the residential premises for commercial use.

Learned advocate representing the respondent no. 8 submits that his client has obtained all necessary permission/license for using the premises for commercial purposes.

It appears from the documents annexed to the writ petition and upon hearing the submissions made on behalf of the parties that the petitioner is yet to approach the Municipality with his grievances.

In view of the above, the instant writ petition is disposed of by granting liberty to the petitioner to file appropriate representation before the Municipality highlighting his grievances. In the event, such a representation is made, the same shall be considered by the Municipality in accordance with law after giving reasonable opportunity of hearing to all the necessary parties.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)