

Item No. 21

07.06.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 7872 of 2022
Md. Mskhdoom Reza @ Maqdoom Reza
v.
The Howrah Municipal Corporation & Ors.

Mr. Tanmoy Mukherjee
Mr. Souvik Das
... for the petitioner.

Mr. Sandipan Banerjee
Mr. Ankit Sureka
Mr. Utso Dutta
... for HMC.

None appears on behalf of the respondent nos. 6,
7 & 8 despite service.

Affidavit-of-service filed in Court today is taken on
record.

The petitioner alleges illegal and unauthorized
construction on the holding No. 17, Srinath Porel Lane,
Ward No. 20, Police Station & District-Howrah, Pin-711
101.

The petitioner lodged a complaint before the
Commissioner, Deputy Commissioner-1, the Assistant
Engineer, In-Charge of Building Department of the
Howrah Municipal Corporation alleging such illegal and
unauthorized construction on April 1, 2022.

The petitioner alleges that the said representation has not been considered by the respondents till date.

As it appears that the representation filed by the petitioner alleging illegal and unauthorized construction is pending consideration at the end of the respondent authorities, accordingly the instant writ petition is disposed of by directing the Assistant Engineer, In-Charge of Building Department being the respondent no. 4 herein to take a decision with regard to the complaint lodged by the petitioner on April 1, 2022 strictly in accordance with law after giving an opportunity of hearing to all the necessary parties within a period of twelve weeks from the date of communication of a copy of this order and to pass a reasoned order and communicate the same to the parties immediately thereafter.

The petitioner is directed to forward a copy of the representation dated April 1, 2022 to the aforesaid respondent at the time of communicating the order of this Court.

It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)