

Sl. No.29
21.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 8468 of 2022

Srikanta Maity
-versus
Ghatal Municipality & Ors.

Mr. Indrajit Bhattacharjee
... for the Petitioner.
Mr. M. Thakur
Mr. Swarup Kumar Ghosh
... for the respondent nos.1, 2 & 3.
Mr. Md. Sarwar Jahan
Mr. Sayantan Hazra
... for the respondent no.5

The petitioner alleges that the respondent no.5, who is his father, is making unauthorised construction over Dag No.37, Mouza-Nischindapur, J. L. No.31, Khatian No.4030 without obtaining any sanction plan/permission from the Ghatal Municipality.

A representation has been filed by the petitioner before the Municipality on 12th April, 2022. The petitioner alleges that the same has not been taken up for consideration till date.

Learned advocate representing the respondent no.5 submits that construction is being made on his private land in accordance with PMAY Scheme. It has been submitted that permission was granted by the Municipality for making such construction.

Learned advocate representing the Municipality does not have any instruction in the matter.

In view of the above, the instant writ petition is disposed of by directing the Executive Officer and the Chairman of the Board of Councillors, Ghatal Municipality, the respondent no.2 to give an opportunity of hearing to the father and the son and to decide the issue of unauthorised construction.

An opportunity of hearing be given to the parties to produce all relevant documents in respect of their respective claims.

A reasoned order shall be passed by the aforesaid respondent at the earliest but positively within a period of twelve weeks from the date of communication of this order.

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.)