

Item No. 73

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

05.09.2022
Ct-24

WPA 12097 of 2022

Sudhangshu Sekhar De
v.
The State of West Bengal & Ors.

Mr. Rabiul Islam
Mr. Raju Mondal
... for the petitioner.

Ms. Sujay Bandyopadhyay
Mr. Jagajyoti Das
... for the Municipality.

The petitioner submits that the construction which is being made by the respondent nos. 8 to 10 is on the basis of a plan obtained by the aforesaid respondents upon practicing fraud and mis-representation.

In support of his allegations of fraud and mis-representation, the petitioner relies upon a sketch map by a separate Civil Engineer.

The petitioner is yet to make any representation before the Municipality highlighting his grievances.

In view of the above, the instant writ petition is disposed of by granting liberty to the petitioner to apply before the Municipality highlighting his grievances along with supporting documents. In the event, such a representation is made, the same shall be considered by the plan sanctioning authority strictly in accordance with law at the earliest, but positively within a period of eight weeks from the date of submitting the representation before the concerned authority.

The plan sanctioning authority shall give an opportunity of hearing to all the necessary parties and pass a reasoned order in the matter and communicate the same to the parties immediately thereafter.

The writ petition stands disposed of.

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

Notice of upgradation filed is also taken on record.

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

Sh

(Amrita Sinha, J.)