

Item No. 54

06.09.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

WPA 14869 of 2022
Shampa Ghosh (Sarkar) & Anr.
v.
The State of West Bengal & Ors.

Mr. Uday Shankar Bhattacharya
Mr. Mritunjay Saha
Mr. Dilip Kumar Mandal
... for the petitioners.

Mr. Raja Saha
Mr. Bibekananda Tripathy
... for the State.

Mr. Barin Banerjee
Mr. Swapan Kumar Debnath
... for KMC.

The petitioner prays for a direction upon the Executive Officer of the Kolkata Municipal Corporation to take into consideration the representation filed before the Corporation seeking permission to repair the damaged portion of the Premises No. 37B/1S, Cossipore Road under Ward No. 1 of the Kolkata Municipal Corporation. The representation was served through speed post in July 2022. The said representation has not been considered by the authority till date.

Learned advocate representing the Kolkata Municipal Corporation submits that the application of the petitioners may be considered upon inspection of the

premises in question by the concerned engineer of the Kolkata Municipal Corporation.

In view of the above, the instant writ petition is disposed of by directing the Executive Engineer of the concerned borough to make a spot inspection of the premises in question within a fortnight from date and thereafter take a decision with regard to the application made by the petitioners praying for repair/ replacement of the damaged portion as mentioned in the application, in accordance with law.

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

A prior notice of inspection shall be served upon the petitioners and an opportunity of hearing be given to the petitioners prior to passing a final order in the matter.

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.)