

S/L 17
23.03.2022
Court. No. 19
GB

W.P.A. 16325 of 2021

Gour Kundu
VS
The State of West Bengal & Ors.

*Mr. Sajal Kanti Bhattacharyya,
Mr. Sarthak Burman.*

...for the Petitioner.

*Mr. Malay Kumar Singh,
Mr. Krishnapanda Santra.*

...for the State.

Mr. Suman Basu.

...for the Corporation.

Two affidavits-of-service filed before this Court, indicate that the respondent no.7 has been served with the copy of the application and thereafter, with a notice indicating that the matter will appear before this Court on an urgent basis. Affidavits-of-service are taken on record.

The petitioner has alleged that the Chandannagar Municipal Corporation has failed and neglected to take steps under the provisions of the law, although unauthorized construction at the instance of the respondent no.7 had been detected by the Corporation. Such construction was raised on Holding No.774 under Ward No.16 of the Chandannagar Municipal Corporation.

The learned advocate appearing for the Chandannagar Municipal Corporation submits that proceedings had been initiated and an illegal construction was detected. An order of demolition was passed on August 7, 2021. It appears that respondent no.7 participated at the hearing and the order was passed in his presence.

Under such circumstances, this Court finds that the grievances of the petitioner have been met and nothing further survives for a decision, in this writ petition.

The Corporation has submitted that the Corporation shall take steps in accordance with law. The Corporation further submits that as the Corporation has not been served with any order of stay of the order of demolition, the Corporation shall proceed in accordance with law.

Accordingly, the writ petition is disposed of without any orders. All actions taken by the Corporation shall be upon notice to the respondent no.7.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the learned advocates' communication.

(Shampa Sarkar, J.)