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02.08.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 17507 of 2021

**Tamal Dutta
-versus
The State of West Bengal & Ors.**

**Ms. Dipanwita Ganguly.
...For the Petitioner.**

**Mr. Siddhartha Banerjee.
...For the Municipality.**

**Mr. Gausul Alam,
Mr. Benazir Ahmed.
...For the State.**

Affidavit-of-service filed in Court today annexing the unserved envelope with the postal endorsement 'insufficient address' is taken on record.

Leave is granted to the learned advocate-on-record of the Municipality Mr. Siddhartha Banerjee to file vakalatnama in the department by day after tomorrow i.e. 7th August, 2022.

Learned advocate for the petitioner submits that she has filed Vakalatnama in the department vide filing No. A-11343 dated 27th June, 2022. The department is directed to tag the same with the records.

The petitioner alleges illegal and unauthorized construction at the instance of the respondent nos. 24, 25 and 26.

The petitioner applied before the Uttarpara-Kotrung Municipality praying for taking steps against such unauthorized construction and alleges that the same has not been considered till date.

Learned advocate appearing for the Uttarpara-Kotrung Municipality submits, upon instructions, that an inspection was conducted by the Municipality wherefrom it revealed that there is indeed an unauthorized construction at the premises in question.

The Municipality has taken steps in accordance with the provisions of Section 218 of the West Bengal Municipal Act, 1993 and necessary steps will be taken for conclusion of the said proceedings.

Steps were taken by the Municipality by giving notice to all the parties but the private respondents chose not to appear in the hearing.

As it appears from the submission made on behalf of the Municipality that steps have already been taken in accordance with the provisions of Section 218 of the West Bengal Municipal Act, 1993, accordingly, the Municipality is directed to conclude the proceedings strictly in accordance with law, at the earliest but positively within a period of twelve weeks from the date of communication of a copy of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)