

Sl. No.14
31.10.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 17690 of 2022

Sailendra Singh
v.
Champdany Municipality & Ors.

Mr. Tarique Quasimuddin
Mr. Abbas Ibrahim Khan
Ms. Ariba Nayeem

... for the petitioner

Mr. Ayan Banerjee
Mr. Soumo Chowdhury

... for the Champdany Municipality

The contents of the communicating letter dated 11th April, 2022 issued by the Chairman, Champdany Municipality is impugned in the present writ petition.

It appears that the said communication was made in compliance of the order passed by this Court in WP 10299 (W) of 2019. The case of the petitioner has been dropped. No reason whatsoever is disclosed in the said communication for dropping the case apart from referring to a report dated 28th December, 2021. The said report also appears to be an inconclusive one and no decision can be taken on the basis of the said unilateral report.

It is the case of the petitioner that, the said report was prepared without affording reasonable opportunity of hearing to the petitioner.

As it appears that the communicating letter impugned in the present writ petition is an absolute cryptic one and the same is not in conformity with the order passed by this Court in WP 10299 (W) of 2019, accordingly, Champdany Municipality is directed to reconsider the issue strictly in terms of the order passed by the Court on 27th April, 2021.

The conclusion of the Municipality that the case of the petitioner is dropped is set aside and quashed.

Fresh opportunity of hearing be given to the petitioner.

A decision shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order.

All points are left open to be considered by the Municipality at the time of disposal of the prayer of the petitioner.

The 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.)