

S/L 28
02.05.2022
Court. No. 19
GB

WPA 18399 of 2021

Sib Sankar Barik
VS
The Howrah Municipal Corporation & Ors.

Ms. Kalpita paul
...for the Petitioner.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Subham Majumder.
...for the H.M.C.

Mr. Ayan Banerjee,
Ms. Debjani Sengupta.
...for the Municipality.

The petitioner was asked to add the Bally municipality. Mr. Ayan Banerjee, learned advocate appears on behalf of the Bally municipality.

The petitioner submitted a representation dated February 11, 2021 before the Municipal Commissioner of Howrah Municipal Corporation for change of user of the ground floor, first floor and second floor of Holding No.12/48, Mohanlal Bahalwala Road, Post Office and Police Station – Bally, District – Howrah.

Mr. Sandipan Banerjee, learned for the Howrah Municipal Corporation had submitted on the last occasion that this application would have to be considered and processed by the Bally municipality, as the building was situated within the jurisdiction of the Bally municipality.

Mr. Ayan Banerjee, learned advocate submits that the municipality is under the Administrator, as the Board of Councilors had not been elected.

Under such circumstances, the writ petition is disposed of with a direction upon the petitioner to apply before the Administrator, Bally municipality in accordance with law. The said application shall be disposed of upon hearing the petitioner and any other interested party. A reasoned order shall be passed and communicated to all concerned. The entire exercise shall be completed within a period of two months from date of receipt of the petitioner's application.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)