

M/List dt.5.12.22
Item No. 8
05.12.2022
c.m.

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

W.P.A. 19434 of 2021

**Yusuf Khan
-versus
The State of West Bengal & Ors.**

**Mr. Kartick Kumar Bhattacharyya,
Ms. Soumashree Dutta
...For the Petitioner.**

**Mr. N.C. Bihani
Mr. Dipankar Ghosh
...For KMC.**

**Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
.... For the State
Mr. Jayanta Mitra
.... For the Respondent No.7**

The petitioner alleges illegal and unauthorized construction at premises No. 8A, Ekbalpore Lane, Ekbalpore, Kolkata – 700023 at the behest of one Ram Babu Shah.

The petitioner complains that the objection filed before the respondent authority on 27th October, 2021 has not been taken up for consideration till date.

On a perusal of the said representation, it appears that the details of the unauthorized construction are not clearly mentioned therein.

Accordingly, the present writ petition is disposed of by giving liberty to the petitioner to file a comprehensive representation before the Executive Engineer, Borough IX, Building Department

highlighting the illegal construction made at the subject premises.

In the event such representation is filed, the same shall be considered in accordance with law after giving a reasonable opportunity of hearing to all the necessary parties.

The Executive Engineer shall endeavor to dispose of the said representation at the earliest, but positively within a period of twelve weeks from the date of receipt of the representation. A reasoned order shall be passed and communicated to the parties immediately thereafter.

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.)