

17.01.2022
Court No. 19
Item no.7
sn

WPA 21353 of 2021

Shyamal Dutta
Vs.
The Howrah Municipal Corporation & ors.

Mr. Arnab Roy
Mr. Satyam Mukherjeefor the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka ..for the HMC

Despite service, none appears on behalf of the respondent nos. 6 to 8. Let the affidavit of service be taken on record.

This writ petition has been filed challenging non-compliance of an earlier order dated March 19, 2021 passed in WPA 5623 of 2021. According to the learned advocate for the petitioner, the respondent nos.6 to 8 have raised certain unauthorised construction at premises no. 257, Sarat Chatterjee Road, Ward No. 38, Police Station- Shibpur, District Howrah 711 102. According to Mr. Roy, learned advocate for the petitioner, this Court had directed the Howrah Municipal Corporation to act on the basis of complaint raised by the petitioner and decide the issue. Mr. Roy further submits that despite such direction of this Court, no action has been taken by the Corporation although a hearing was given to the parties.

Mr. Banerjee, learned advocate for the Howrah Municipal Corporation submits that a hearing was given to the parties. The hearing was concluded and an order of demolition had been passed against the respondent nos.6 to 8 and the Corporation shall take necessary step to ensure that the order of demolition is reached to its logical conclusion.

Having considered the rival contentions of the parties, this Court is of the opinion that no further relief can be granted to the petitioner in this proceeding. The Corporation shall act and proceed in accordance with law as submitted by Mr. Banerjee and the result of the entire process shall be communicated to the parties.

This Court has not gone into the merits of the claims and counterclaims of the parties.

The writ petition is, thus, disposed of.

There will be, however, no order as to costs.

Parties are directed to act on the server copy of this order.

(Shampa Sarkar, J.)