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WPA 24825 of 2022

Vivekananda Paul & Ors.
Vs
The State of West Bengal & Ors.

Mr. Arnab Roy,
Mr. S. Ahmed
... For the Petitioner.
Mr. Santanu Kr. Mitra,
Mr. Mirza Kamruddin
... For the State.
Mr. Pradyut Kumar Kundu,
Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani
... For the Respondent Nos. 2-5.
Mr. Sovan Dutta,
Mr. Dulal Ch. Sarkar
...For the Respondent Nos.8-12.

The petitioners' representation praying for cancellation/revocation of the building plan is pending consideration before the Kanchrapara Municipality. The representation was served through post in April, 2022.

None appears on behalf of the respondent No.7 in whose favour the sanction was granted by the Municipality.

Reference has been made to an order passed by the learned Civil Court below.

Learned Advocate representing respondent Nos. 8 to 12 submits that there is no order restraining the Municipality from sanctioning building plan in respect of the subject premises.

Be that as it may, as it appears that the petitioners seek for a direction upon the Municipality for

consideration of the representation made on their behalf by the learned Advocate in April, 2022, accordingly, the present writ petition is disposed of by directing the Kanchrapara Municipality to consider the said notice demanding justice dated 25th April, 2022 in accordance with law, if not already disposed of, at the earliest, but positively within a period of eight weeks from the date of communication of this order.

The Municipality is directed to pass a reasoned order and communicate the same to all the parties immediately thereafter.

It will be open for the parties to rely upon all documents in their support at the time of hearing.

Learned Advocate for the petitioners is directed to forward a copy of the representation dated 25th April, 2022 along with all supporting documents to the aforesaid respondent at the time of communicating the order of the Court.

It is made clear that this Court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation.

Affidavit-of-service filed in Court is taken on record.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties or their advocates on

record expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)