

04. 22.12.2022
bd. Ct.15

W.P.A. 37647 of 2013

Rafique Un Nessa

-vs-

The Kolkata Municipal Corporation & Ors.

Mr. Younus Mondal

... for the petitioner

Mr. Fazlul Haque

... for the KMC.

Mr. Gopal Chandra Saha

... for the private respondents.

The writ petition was instituted by the petitioner arraying the private respondents with an allegation that the private respondents were involved in erecting illegal construction which affects right of the petitioner.

It has been submitted by the learned advocate representing the petitioner that one representation dated 30th September, 2013 was preferred addressed to the Executive Engineer (Building), Borough No. XV, Kolkata Municipal Corporation, and he has prayed for consideration of such representation since according to the petitioner, complaint was lodged by preferring this representation against the private respondents for making illegal construction.

KMC and the private respondents are represented by learned advocates.

This Court has heard the contention of the petitioner. However, on perusal of the

representation it is not clear when and how the concerned authority of KMC received such representation.

In view of aforesaid scenario, this Court grants leave to make a fresh representation before the concerned authority of KMC alleging illegal construction by the private respondents within a period of fortnight from date. If such representation is made by the petitioner within the aforesaid time KMC in its turn shall take a decision in accordance with law within a period of 12 weeks thereafter.

With the aforesaid direction, the writ petition stands disposed of. However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)