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18.04.2022
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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 744 of 2022

**Smt. Tultul Sarkar and others
-versus
Jalpaiguri Municipality & others**

Mr. Sunil Kr. Sarkar

Ms. Smita Sinha (Mitra)

...For the Petitioners.

Mr. Gautam das

Mr. Momenur Rahman

Mr. Pretom Das

...For the respondent no.1.

Mr. Debasish Mukherjee

...For the respondent no.6.

The grievance of the writ petitioners is against the Jalpaiguri Municipality and its inaction in respect of several letters written by the petitioners to the Municipality on various dates in March, 2022. According to the petitioners, the private respondent/ respondent no. 4 is constructing an illegal structure which must be demolished by the Municipality. The Municipality has, however, not taken any steps in that regard till date.

Learned counsel appearing for the Municipality submits that an enquiry has already

been made and no unauthorized construction has been found on the concerned site.

Upon hearing learned counsel, this court is of the view that the letters written by the petitioners to the Municipality are required to be decided and disposed of.

The respondent no. 2 shall accordingly dispose of the representations made by the petitioners in March, 2022 by way of a reasoned order after hearing the concerned parties including the petitioners and the private respondents.

The reasoned order shall be given within a period of 3 weeks from today and a copy of the reasoned order shall be made available to the petitioners within 5 days from the date on which such order is passed.

In the event the Municipality finds that there is any illegal construction on the concerned site, the Municipality shall take expeditious steps to demolish the same.

W.P.A. 744 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)