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27.03.2023  
d.p.

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

**W.P.A 1958 of 2023**

**Siddheswar Sarkar  
-versus  
South Dum Dum Municipality & Ors.**

**Mr. Siddheswar Sarkar.  
...Petitioner in person.**

**Md. Sarwar Jahan,  
Mr. Asif Mehedi,  
Ms. Adite Chatterjee,  
Ms. Anusheree Mandal  
...For Respondent  
Nos. 5 and 6.**

**Ms. Mousumi Bhowal,  
Mr. Aman Gupta,  
Mr. Ishan Bhattacharya.  
...For the Municipality.**

The petitioner alleges illegal and unauthorized construction. With the same allegation, an earlier writ petition was filed by the petitioner being WPA 9632 of 2022.

The said writ petition was disposed of on 26<sup>th</sup> July, 2022 by which the Court directed the petitioner to forward the copy of the inspection notice dated 23<sup>rd</sup> November, 2021 and a copy of the representation dated 5<sup>th</sup> May, 2022 to the Municipality at the time of communicating the order of the Court.

There is nothing on record to suggest that the representation was forwarded to the Municipality.

The petitioner, appearing in person, submits that the representation was duly served upon the Municipality. The petitioner alleges that despite receipt of the representation, the Municipality is not taking any steps to consider the same.

Learned advocate appearing for the private respondents submits, upon instructions, that the construction has been made in accordance with the plan sanctioned and the same is long over.

The instant writ petition is disposed of by directing the petitioner to forward the copy of the objection filed before the Municipality along with other necessary documents in support of the allegation of unauthorized construction at the instance of the private respondents.

The Municipality shall consider the objection, if any, filed by the petitioner in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties and pass a reasoned order and communicate the same to the parties.

Steps shall be taken in the matter at the earliest, but positively within a period of twelve weeks from the date of forwarding a copy of the representation and all other connecting documents to the Municipality.

The 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.)**