

M.132 24.04
Ct 2023
No24
AGM

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 2730 of 2022

Mun Mun Chowdhury
Vs
The State of West Bengal & Ors.

Mr. Saptaswa Bhattacharya
... for the Petitioner.

Mr. Srijan Nayak **... for the State.**

The petitioner is allegedly aggrieved by the act of the Municipality in amalgamating three separate plots of land situated at three separate places.

It is the case of the petitioner that the lands which have been amalgamated are not adjoining each other and are far off from one another. Amalgamation is not possible in respect of the said plots of land.

Further case of the petitioner is that the private respondents without obtaining any building sanctioned plan from the North Dum Dum Municipality are carrying on unauthorised construction.

From the documents annexed to the writ petition it does not appear that a comprehensive representation/objection was filed before the Municipality highlighting the grievance of the petitioner.

Reference has only made to a communication made by the Municipality under the Right to Information Act that no building plan has been sanctioned by the Municipality.

In view of the above, the instant writ petition is disposed of granting liberty to the petitioner to file comprehensive representation before the Municipality.

If such representation is made, the same shall be considered by the Municipality in accordance with law after giving a reasonable opportunity of hearing to all the necessary parties.

A reasoned order shall be passed and communicated to the parties at the earliest.

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.)