

03.08.2023
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AN/Ct. No.07

WPA 2775 of 2022

**Amarendra Nath Chanda & anr.
versus
Midnapur Municipality & ors.**

Mr. Pingal Bhattacharyya
Mr. Soumitra Ghosh
Mr. Rajdeep Sinha

... for the petitioner

Mr. Sujay Bandopadhyay
Mr. Pradipta Siddhanta

... for the Municipality

Mr. Nilanjan Bhattacharjee
Mr. Arpan Guha
Mr. Saikat Dey

... for respondent no. 4

The petitioners have challenged the building plan being P.W. 243 dated 30.08.2017 issued by the competent authority of the Midnapur Municipality on the ground that the same is in contravention of various provisions of the West Bengal Municipal Act, 1993 and the Rules framed thereunder.

After hearing the learned counsel for the respective parties and upon going through the materials on record, this Court finds that the complaint dated 01.01.2022 is a very detailed complaint. This Court is astonished as to why the Municipality has not taken any steps till date on such complaint.

Since a complaint made by the petitioner is still pending for consideration before the Municipality concerned, the instant writ petition stands **disposed of** by directing the Board of Councillors of the Midnapur Municipality to consider the complaint dated 01.01.2022 and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner, the private respondent and/or any other interested parties and/or their authorized representative and to communicate such decision to the parties thereafter. The entire exercise shall be completed within a period of 12 weeks from the date of receipt of the server copy of this order.

There will be, however, no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Hiranmay Bhattacharyya, J.)