

Item No.6

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

17.04.2023
Ct-24

WPA 3943 of 2023
Smt. Chitra Pandit

v.

The Bally Municipality & Ors.

Mr. Sandipan Banerjee
Md. Amanulla Molla
Ms. Utsa Dutta

... for the petitioner.

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Ms. Riya Ghosh

... for the Municipality.

The petitioner prays for implementation of the direction passed in the notice issued under Section 220(1) of the West Bengal Municipal Act, 1993 on July 20, 2022.

By the said notice the private respondent no. 7 was directed to discontinue the unauthorized construction.

Learned advocate for the petitioner submits that a toilet is being constructed just beside the premises of the petitioner. The same is illegal, creating nuisance and is liable to be demolished.

None appears on behalf of the private respondents.

Affidavit-of-service filed in Court today be taken on record.

Learned advocate representing the Bally Municipality submits that steps shall be taken consequent to the notice issued under Section 220(1) of the Act of 1993.

In view of the above submission, the instant writ petition is disposed of by directing the Administrator of the Bally Municipality to take necessary consequent steps to the notice issued under Section 220(1) of the Act and demolish the unauthorized construction in accordance with law after giving reasonable opportunity of hearing to all the necessary parties.

Efforts shall be taken to conclude the proceeding at the earliest but positively within a period of twelve weeks from the date of communication of this order.

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.

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(Amrita Sinha, J.)