

Item No. 43

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

19.04.2023
Ct-24

WPA 4712 of 2023
Md. Salim Ansari & Anr.

v.

The Kamarhati Municipality & Ors.

Mr. Kushal Chatterjee
Mr. Debrup Choudhury
Mr. Shibjit Mitra

... for the petitioners.

Mr. Sankha Subhra Ray
... for the Municipality.

None represents the private respondents.

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

Pursuant to a notice issued under Section 218 of the West Bengal Municipal Act, 1993 the petitioners submitted their explanation in January 2023.

There is no response from the end of the Kamarhati Municipality.

The matter is, accordingly, disposed of by directing the Kamarhati Municipality to take steps to consider the explanation forwarded by the petitioners in response to the notice under Section 218 of the Act of 1993.

A reasonable opportunity of hearing be given to all the necessary parties. Final order shall be passed at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The reasoned order shall be communicated to all the parties immediately thereafter.

Learned advocate for the petitioners is directed to forward a copy of the notice dated December 15, 2022 issued under Section 218 of the West Bengal Municipal Act, 1993 and the copy of the explanation submitted on January 17, 2023 to the aforesaid respondent at the time of communicating the order of this Court.

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.)