

July 20, 2023
ARDR
(2)

WPA 6269 of 2023

Nadia Projects Pvt. Ltd.
Vs.
The State of West Bengal & Ors.

Adv. Pradyut Saha,
Adv. Sudeshna Biswas,
...for the petitioner.
Adv. Sharanya Chatterjee,
...for the respondent nos. 3 & 4.
Adv. Chandi Charan De,
Adv. Anirban Sarkar,
...for the State.

The matter has come up under the heading “To Be Mentioned” at the instance of the 3rd and 4th respondents.

It is submitted on behalf of the 3rd and 4th respondents that the order passed on 5th July, 2023 directs the Special Officer, Urban Development, 2nd respondent herein, to consider the proposals submitted by the petitioner within a stipulated time frame upon hearing the petitioners and the other interested persons, in accordance with law.

Learned counsel submits that the post of Special Officer, Urban Development is lying vacant and the Assistant Executive Officer has been appointed as the Chief Executive Officer, ADDA as well as the Special Officer, Urban Development and Municipal Affairs Department Government of West Bengal temporarily vide notification dated 3rd July, 2023 issued by the

department of the Urban Development and Municipal Affairs, Town and Country Planning Branch, Government of West Bengal.

In view of such development, learned counsel seeks a direction upon the Special Secretary, Department of Urban Development and Municipal Affairs, Government of West Bengal to deal with the proposals submitted by the petitioner instead of the 2nd respondent. The petitioner and the State respondents agree to such submission made by the learned counsel appearing for the 3rd and 4th respondents.

Accordingly, the Special Secretary, Department of Urban Development and Municipal Affairs, Government of West Bengal be impleaded as respondent no.5 in the writ petition.

The cause title of the writ petition be amended accordingly.

The order passed on 5th July, 2023 is modified to the extent that the 5th respondent be directed to consider the proposals submitted by the petitioner dated 30th June, 2022 and 22nd September, 2022 respectively within eight weeks from the date of communication of this order as well as service of the writ petition, upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the respondent nos. 3 and 4, in accordance with law.

Inadvertent error has crept into the order passed on 5th July, 2023. In the first paragraph of the order the lease deed be read as the development agreement.

The department is directed to incorporate necessary correction accordingly.

This order be treated as part of the order dated 5th July, 2023.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)