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25.04.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 6322 of 2023

**Smt. Suchirupa Ganguly
-versus
The State of West Bengal & Ors.**

**Mr. Mohinoor Rahaman,
Mr. Prabir Das,
Mr. Iqra Rahaman.
...For the Petitioner.**

**Mr. Mir Anuruzzaman.
...For the Municipality.**

**Mr. Kamal Krishna Pathak,
Mr. Supriyo Kumar Roy,
Mr. Tamal Banerjee,
Ms. Puja Rajbhar.
...For the Respondent No.12.**

The petitioner complains of illegal and unauthorized construction at the behest of the private respondents.

The objection filed by the petitioner before the Rajpur-Sonarpur Municipality is alleged to be kept pending.

Learned advocate appearing for the private respondent no. 12 being one of the developers of the construction submits that the construction was made in accordance with the plan sanctioned by the Municipality and a Completion Certificate was issued by the Municipality on 13th March, 2023.

On a perusal of the objection filed by the petitioner before the Municipality, it appears that the details of the unauthorized construction are not mentioned therein.

The objection speaks about the non-issuance of the completion certificate which *prima facie* appears to be incorrect, as Completion Certificate in respect of the construction made over the selfsame plot numbers has been produced in Court by the learned advocate representing one of the developers (respondent no.12).

Apart from the above, there is no other allegation of unauthorized construction mentioned in the objection.

Learned advocate appearing for the petitioner craves leave to file fresh objection highlighting the illegalities in construction.

As the representation annexed to the present writ petition is devoid of the necessary details, accordingly, the instant writ petition stands disposed of by granting liberty to the petitioner to file fresh representation highlighting the illegalities in construction, if any.

In the event such a representation is filed before the Municipality, the same shall be taken up for consideration 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.

Photocopy of the Completion Certificate dated 13th March, 2023 filed in Court today is taken on record.

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.)