

August 24, 2023
AD 9
Court No.14
SG

WPA 15770 of 2023

Shila Ghosh
vs.
The Howrah Municipal Corporation and others

Mr. Sanjib Seth
Ms. Utsa Dutta

... for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka
Mr. Sobhan Majumder

... for the HMC

Affidavit of service filed in Court is taken on record.

Learned advocate for the petitioner submits that the petitioner is the owner of the property in question as an heir of the erstwhile owner Saraswati Ghosh. The said Saraswati Ghosh passed away in 1992. The Howrah Municipal Corporation issued notices to her in the year 2022. No action can be taken either of inspection or of demolition without hearing the owner of the property namely the petitioner.

Learned counsel for HMC submits that the Municipal Corporation has detected the error that inadvertently occurred. They are willing to give fresh notice as an inspection was indeed required in the instant case.

In view of the above and the interest of justice, let notices dated 02.04.2022 and 09.01.2023 issued by the HMC be set aside. The HMC shall issue fresh notice to the

petitioner and afford her a proper opportunity of hearing before taking any decision in this regard.

With the aforesaid observations, WPA 15770 of 2023 is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]