

07.02.2023
Court No.24
Item No.36
B.M (J.R)

WPA 17183 of 2021

Smt. Sonamati Dubey & Ors.
Vs.
The Howrah Municipal Corporation & Ors.

Mr. Adil Naser
.... For the petitioners
Mr. Jahar Datta,
Mr. Bipin Ghosh
.... For the State

Mr. Jayanta Banerjee,
Mr. Fajlul Haque
..... For the respondent no.14

Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Sobhan Majumder
.... For the Howrah Municipal Corpn.

An accommodation has been sought for on behalf of learned advocate representing the petitioners.

It appears that the writ petition was filed in October, 2021.

None represented the petitioners on the earlier occasion when the matter was taken up for consideration.

Private respondents are represented.

The petitioners seek mutation. The property in question is presently recorded in the name of the private respondent.

It appears from the prayers made in the writ petition that the petitioners seek a direction upon the

Howrah Municipal Corporation to record their names as owners and occupiers by deleting the name of the private respondent from the record of the Howrah Municipal Corporation and not to sanction any building plan in favour of the private respondent.

Complaint to that effect was filed before the Howrah Municipal Corporation which is pending consideration.

Accordingly, the present writ petition is disposed of by directing the Municipal Commissioner or his delegate to consider the representation filed by the petitioners on 26th August, 2021 strictly in accordance with law, after giving reasonable opportunity of hearing to all the necessary parties and to pass a reasoned order and communicate the same to the parties.

Steps shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.

It is made clear that this court has not entered into the merits of the claim of the petitioners and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation.

The petitioners are directed to forward copy of the representation dated 26th August, 2021 to the aforesaid respondent at the time of communicating the order of the 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.

(Amrita Sinha, J.)