

24-01-2023
Item No.162 ML
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.18033 of 2021
Nita Roy Chowdhury & Anr.
-VS-
The State of West Bengal & Ors.

None	...for the petitioners
Mr. Naba Kumar Das Mr. Subhabrata Das	...for the State
Mr. Sandipan Banerjee Mr. Sobhan Majumdar	...for the Corporation
Mr. Somnath Ghoshal Mr. Satyajit Senapati	...for respondent no.9

None appears on behalf of the petitioners at the time of call.

From the averments made in the writ petition and the documents annexed thereto, it appears that the petitioners are aggrieved by the alleged unauthorised construction at the instance of the private respondents. A copy of the representation objecting to such unauthorised constructions allegedly filed before the Commissioner, Howrah Municipal Corporation is annexed at pages 69 and 70, Annexure P7 to the writ petition. There is, however, no proof of service of the aforesaid representation upon the Howrah Municipal Corporation.

The Corporation, the State and the ninth respondent are represented.

As there is no proof of service of the objection alleging unauthorised construction before the Corporation, accordingly, the present writ petition stands disposed of

granting leave to the petitioners to file an appropriate representation before the Howrah Municipal Corporation.

In the event such representation is filed, then necessary steps shall be taken by the Corporation to deal with the same, in accordance with law.

The writ petition is disposed of. No order as to costs.

Certified copy of this order, if applied for, shall be given to the parties.

[Amrita Sinha, J]