

71 (ML).
08-02-2023
debajyoti
(Ct. no.24)

WPA 20056 of 2021

**M/S. B. S. Enterprise
Vs.
The State of West Bengal & Ors.**

Mr. Gouranga Kumar Das,
Ms. Swati Mandal

... For the Petitioner.

Mr. Soumitra Mookherjee,
Mr. Sayan Ganguly

... For the State.

Mr. Srijan Nayak,
Mr. Tarun Chatterjee

... For K.M.C.

Mr. Prosenjit Mukherjee,
Mr. Saptarshi Chakraborty

... For Private Respondents.

Affidavit-of-Service filed in Court today be taken on record.

The grievance of the petitioner is that the private respondents are making construction without a valid sanctioned plan at 9, Garfa Sitala Mandir Road, P.S. Survey Park, Kolkata-700075.

The petitioner lodged complaint against such unauthorized construction before the Officer-in-Charge, Survey Park Police Station and the Director General (Building), Kolkata Municipal Corporation.

Learned advocate, representing the private respondents, denies the contention of the petitioner.

It appears from the documents annexed to the writ petition that no representation has yet been made by the petitioner before the Commissioner of the

Kolkata Municipal Corporation or before the concerned Executive Engineer of the concerned borough.

In view of the above, the instant writ petition is disposed of by granting leave to the petitioner to file appropriate application before the concerned Executive Engineer of the borough highlighting the details of the unauthorized construction.

In the event such representation is filed, the same shall be taken up for consideration by the concerned Executive Engineer of the borough. The representation shall be disposed of after giving reasonable opportunity of hearing to all the parties and by passing a reasoned order.

The writ petition is, thus, disposed of.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Amrita Sinha, J.)