

Item No. 258

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

25.09.2023
Ct-24
A.G.M.

WPA 18970 of 2023

Prodip Chowdhury
v.
The State of West Bengal & Ors.

Ms. Malyasree Maity
... for the petitioner.

Mr. Anjan Bhattacharya
... for the respondent no. 5.

Mr. Indranil De
Mr. Monoranjan Mahata
... for the respondent nos. 2 to 4.

The petitioner complains of non-consideration of the objection filed against the illegal constructions made by the private respondents.

The private respondents deny the allegation of the petitioner.

Learned advocate representing the Municipality submits that unauthorized construction exists at the subject premises.

To ascertain the nature and extent of unauthorized construction, the Municipality is directed to conduct a spot inspection upon prior notice to all the necessary parties.

The person(s) responsible for making unauthorized construction shall be intimated about the illegalities at the time of making construction.

The Municipality will thereafter pass necessary order in the matter strictly in accordance with law after giving an opportunity of hearing to all the necessary parties.

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

Learned advocate for the petitioner is directed to serve copy of the representation dated 19th May, 2023 to the aforesaid respondent at the time of communicating the order of this 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.)