

Item No.17

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

11.01.2023
Ct-24

WPA 19487 of 2022
Kuntal Banerjee

v.

The Uttarpara Kotrung Municipality & Ors.

Mr. Saptorshi Banerjee
... for the petitioner.

Mr. Siddhartha Banerjee
... for the Municipality.

Mr. Apurba Kumar Datta
... for the respondent no. 8.

Ms. Shraboni Sarkar
Mr. Debapriya Chatterjee
... for the State.

The petitioner complains of illegal and unauthorized construction at the instance of the respondent nos. 6 and 7.

None appears on behalf of the respondent nos. 6 and 7 despite service.

Affidavit-of-service filed in Court today is taken on record.

The petitioner complains that the objection filed before the Municipality in July 2022 has not been disposed of till date.

Learned advocate representing the Municipality submits, upon instruction that, unauthorized construction has been detected and the Municipality has

already taken steps in accordance with Section 218 of the West Bengal Municipal Act, 1993.

Learned advocate representing the respondent no. 8 submits that the respondent nos. 6 and 7 have indeed raised illegal and unauthorized construction.

As the Municipality appears to have detected unauthorized construction, accordingly, the Board of Councillors, Uttarpara-Kotrung Municipality being the respondent no. 2 is directed to take steps to ensure that the proceeding under Section 218 of the Act is concluded in accordance with law after giving reasonable opportunity of hearing to all the necessary parties at the earliest, but positively within a period of ten weeks from the date of communication of a copy of this order.

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.

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(Amrita Sinha, J.)