

03.01.2023

Sl.No. 21
Ct.No. 24
Amalranjan

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 19490 of 2022

Abhishek Bajla
Vs.
State of West Bengal & Ors.

Mr. Avra Mazumder
Mr. Akash Kapoor
Mr. Binayak Gupta

...for the petitioner

Mr. Sirsanya Bandopadhyay
Mr. Tirthankar Dey
Mr. Arka Kr. Nag
Ms. Deboleena Ghosh

...for the Bidhannagar
Municipal Corporation

Mrs. Sudipa Ray
Mr. Srinath Singha Roy

...for the State

Mr. Sabyasachi Chatterjee
Mr. Aniruddha Bhattacharyya
Mr. Ankur Sharma

...for the respondent no. 10

The petitioner is aggrieved by the inaction on the part of the Bidhannagar Municipal Corporation in taking steps in furtherance to the show cause notice dated 31st March, 2022 issued by the Executive Engineer, Bidhannagar Municipal Corporation to the respondent no. 10.

By the aforesaid notice, the respondent no. 10, Naresh Agarwal, was directed to produce documents in support of the construction made covering the mandatory open spaces.

Learned advocate representing the respondent no. 10 submits upon instruction that the show cause was duly submitted before the Corporation.

None of the parties are aware as to whether further steps were taken on receipt of the show cause.

In view of the above, the instant writ petition is disposed of by directing the Bidhannagar Municipal Corporation to take necessary steps pursuant to the show cause notice issued on 31st March, 2022 vide no. BMC/BPN/2022/1986.

In the event it transpires that construction had been made in deviation of the plan sanctioned or without any sanctioned plan, then necessary steps shall be taken to deal with such unauthorised construction in accordance with law, after giving reasonable opportunity of hearing to all the necessary parties 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 forward a copy of the show cause notice dated 31st March, 2022 to the respondent

authority at the time of communication of this order.

Writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be given to learned advocates for the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)