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18.01.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 20139 of 2022

**Nadiram Halder
-versus
The State of West Bengal & Ors.**

**Ms. M. Maity
...For the Petitioner.**

**Mr. Pradip Kumar Chakraborty,
Mr. Sabyasachi Mondal,
Mr. Sayan Mukherjee.
...For the Private Respondent.**

**Mr. Shyamal Prasad Purkait,
Ms. Moumita Mondal.
...For the Municipality.**

The petitioner prays for a direction for consideration of the representation submitted before the Diamond Harbour Municipality on 17th August, 2022 praying for demolition of the unauthorized construction made at the instance of the respondent No.5, Smt. Ashalata Mondal.

The Court in WPA 21107 of 2022 (Ashalata Mondal –vs- State of West Bengal & Ors.) has opined that there is no plan in support of the construction made by Ashalata Mondal.

Accordingly, the Municipality is directed to consider the representation filed by the petitioner on 17th August, 2022 in accordance with law, after giving a

reasonable opportunity of hearing to all the necessary parties.

A reasoned order shall be passed by the Municipality and communicated to all the necessary parties.

The petitioner is directed to forward a copy of the representation dated 17th August, 2022 and copy of the supplementary affidavit with supporting documents to the Municipality at the time of communicating the order of the 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.)