

Item No.19

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

11.01.2023
Ct-24

WPA 21515 of 2022
Biswanath Mondal

v.
The State of West Bengal & Ors.

Mr. R.K. Jaiswal
... for the petitioner.

Mr. Sirsanya Bandopadhyay
Mr. Tirthankar Dey
Mr. Arka Kumar Nag
... for BMC.

Ms. Jonaki Saha
Mr. Abhijit Saha
Mr. Rishav Kumar Thakur
Mr. Sunny Nandi
... for the respondent no. 5.

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

The petitioner is aggrieved by the order passed by the Commissioner, Bidhannagar Municipal Corporation. The petitioner complains that the said order was passed without complying with the principles of natural justice.

The Court has heard the submissions made on behalf of all the parties and upon perusal of the documents annexed to the writ petition, the Court is not inclined to accept the submission of the petitioner that there is any violation of the principles of natural justice. It appears that opportunity was provided to the petitioner for production of documents in support of the construction raised. As the petitioner failed to produce

any document in support of the said construction, accordingly, the Corporation passed the order of demolition.

The Court refrains from exercising jurisdiction in the matter.

The writ petition fails and is hereby dismissed.

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

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.)