

Item No. 18

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

4.01.2023
Ct-24

WPA 21966 of 2022
Sri Goutam Giri

v.

The State of West Bengal & Ors.

Mr. Debasish Das
... for the petitioner.

Ms. Anwari Quraishi
Ms. Zainab Tahir
... for the State.

The online application filed by the petitioner on July 23, 2022 for sanction of building plan is yet to be disposed of.

The petitioner filed a representation before the Chairman of Egra Municipality on August 29, 2022 with request to approve the plan proposal. The same has also not been considered.

None appears on behalf of the Egra Municipality despite service.

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

According to the provisions of law, the Municipality is required to take a decision with regard to the plan proposal submitted within a period of sixty days from the date of receipt of the same. The said period has expired long back. The Municipality is bound to take a decision on the plan proposal submitted by the petitioner.

Accordingly, the present writ petition is disposed of by directing the Board of Councillors, Egra Municipality to take a decision on the plan proposal submitted by the petitioner in accordance with law after giving reasonable opportunity of hearing to the petitioner at the earliest, but positively within February 28, 2023. The fate of the plan proposal shall be intimated to the petitioner immediately thereafter.

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.)