

03.04.2023
Item No. 13
AGM

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

W.P.A. 23053 of 2022

**Aktar Hussain
-versus
The State of West Bengal & Ors.**

**Mr. Tarun Kumar Das,
Mr. Dilip Kumar Shyamal,
...For the Petitioner.**

**Mr. Manas Kundu,
Mr. D. Mondal,
...For the State.**

**Mr. Sandipan Banerjee,
Mr. A. Sureka,
Mr. S. Majumdar,
... For the HMC.**

The petitioner complains of illegal and unauthorized construction.

It has been submitted that during pendency of the writ petition, opportunity of hearing to the parties was given by the Howrah Municipal Corporation.

The notice of hearing has been produced in Court wherefrom it appears that a hearing was conducted on 19.01.2023.

The petitioner presently prays for a direction upon the Howrah Municipal Corporation to forward the reasoned order passed after hearing the parties.

None appears on behalf of the respondent no. 11.

Affidavit-of-service filed in Court today be kept with the records.

The Howrah Municipal Corporation is directed to pass a reasoned order and forward a copy of the same to all the necessary parties.

If the Howrah Municipal Corporation feels that a further inspection and opportunity of hearing is required to be afforded to the parties, then necessary steps shall be taken by the Corporation in this regard in accordance with law.

The Corporation shall dispose of the complaint of unauthorized construction filed by the petitioner at the earliest but positively within a period of twelve weeks from the date of commutation of this order.

It goes without saying that if ultimately unauthorized construction is detected, then necessary consequential steps shall be taken by the Corporation to deal with the same, in accordance with law.

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.)