

32 19.04.2023  
RP Ct.No. 1

FMA 1331 OF 2022  
With  
IA No.CAN 1 of 2022

Dr. Chira Ranjan Biswas & Ors.  
vs.  
State of West Bengal & Ors.

Mr. Subrata Maity  
Ms. Mousumi Arji ... for Appellants

1. This intra-Court appeal is directed against the order dated 23<sup>rd</sup> August, 2022 passed by the learned Single Bench in WPA No.588 of 2022. In the said writ petition the writ petitioners questioned the sanction of the building plan on 19<sup>th</sup> May, 2020 only on the ground that the Disaster Management Act, 2005 was in force and it was not open for the Municipality to sanction any plan at that point of time. The learned Single Bench took note of the fact that pursuant to the order dated 18<sup>th</sup> April, 2020 passed by the Joint Secretary, Urban Development & Municipal Affairs Department, Government of West Bengal all the departments and other establishments under the State Government shall start functioning with effect from 20<sup>th</sup> April, 2020 and all Urban Local Bodies, Development Authorities and other organizations were to start functioning with a skeletal staff with effect from 20<sup>th</sup> April, 2020. Thus, on the facts the learned Single Bench found that the building plan was sanctioned when the order passed by the Joint Secretary, Urban Development &

Municipal Affairs Department, Government of West Bengal was in force. Therefore, we find no grounds to interfere with the order passed by the learned Single Bench. In the result, the appeal and the connected application stand **dismissed.**

**(T. S. Sivagnanam)**  
**Acting Chief Justice**

**(Hiranmay Bhattacharyya, J.)**