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18.10.2023
A.G.M.

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

W.P.A 25104 of 2023

**Souvik Kumar Naskar & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Bikram Banerjee
Mr. Saikat Sutradhar
Mr. Sondwip Sutradhar
Mr. Sagar Dey
...For the petitioners.**

**Mr. Barin Banerjee
...For the K.M.C.**

**Mr. Santanu Mitra
Ms. Rama Halder
... For the State.**

The petitioners seek a direction upon the Executive Engineer, Borough-VII, Ward No. 66 to consider the prayer made for repairing the shop room at 115, Picnic Garden Road, P. S. Tiljala, Kolkata- 700 039.

Learned advocate representing the Corporation submits that the details of the repairing work which the petitioners intend to do are not mentioned in the application.

It has been submitted by the learned advocate representing the petitioners that a civil suit between the petitioners and the private respondent is pending consideration in the learned Court below.

In the instant writ petition, the prayer is only with regard to seeking permission for repairing the

shop room which is occupied and under possession of the petitioners.

The instant writ petition is disposed of by directing the Executive Engineer, Borough 7, Ward No. 66 to consider the representation filed by the petitioners and intimate the petitioners the formalities that are required to comply for obtaining permission for repairing the shop room at 115, Picnic Garden Road, P. S. Tiljala.

A decision shall be taken in the matter after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively within a period of eight weeks from the date of communication of this order.

Reasoned order shall be passed and communicated to the petitioners immediately thereafter. The Executive Engineer is restrained from interfering in the private civil disputes in between the parties and the consideration will be restricted only to the repairing of the shop room. Non-granting of permission may result in causing accident which may lead to loss of valuable life and property.

Learned advocate for the petitioners is directed to forward copy the representation dated 13th February, 2023 to the aforesaid respondent at the time of communicating the order of the Court.

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

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.)