

Item Nos. 60

20.02.2023
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 26512 of 2022
Rakhi Debnath

v.

The Kolkata Municipal Corporation & Ors.

Mr. Suprabhat Bhattacharya
Mr. Durgadas Mukherjee
... for the petitioner.

Mr. Rupsha Chakraborty
... for the State.

Mr. Arijit Dey
... for KMC.

The petitioner is aggrieved by the notice issued under Section 401 of the Kolkata Municipal Corporation Act, 1980.

Learned advocate for the petitioner submits that during pendency of the writ petition a notice of hearing was issued by the Administrative Officer (Building) requesting the petitioner to appear for a hearing before the Special Officer (Building) on February 10, 2023.

Learned advocate for the petitioner submits, upon instruction that, the petitioner was duly represented in the hearing.

None appears on behalf of the Kolkata Municipal Corporation.

Mr. Arijit Dey, learned advocate who usually represents the Kolkata Municipal Corporation before this Court is present in Court. He is directed to enter

appearance on behalf of the Kolkata Municipal Corporation.

As it appears from the submissions made on behalf of the petitioner that a hearing was conducted and final order is yet to be passed, accordingly, the present writ petition is disposed of by directing the concerned officer of the Kolkata Municipal Corporation to pass necessary order in the matter in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The concerned officer of the Corporation shall ensure that the order passed by the Special Officer (Building) is duly communicated to the parties without any unnecessary delay.

The writ petition stands disposed of.

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

The report filed by the Officer-in-Charge, Sarsuna Police Station be taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

Sh

(Amrita Sinha, J.)