

Item No.49

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

12.06.2023
Ct-24

WPA 27387 of 2022
Md. Faiyaz Ahmed

v.

The Chairman, Baruipur Municipality & Ors.

Mr. Altamash Alim
Mr. Sunit Biswas
Ms. Rajashree Bowmick
... for the petitioner.

Mr. Sabyasachi Mondal
Ms. Payel Khanra
... for the respondent nos. 7 to 9.

The petitioner complains of illegal and unauthorized construction at the instance of the private respondents at premises no. 130, J.L. No. 10, Dag No. 377/654, RS No. 124, Touzi No. 250 under the jurisdiction of the Baruipur Municipality.

From the documents annexed to the writ petition it does not appear that the petitioner ever raised any objection before the Municipality alleging unauthorized construction.

The private respondents deny the allegation of the petitioner. It has been submitted that construction was made long back strictly in accordance with the plan sanctioned by the Municipality.

As it prima facie appears that the petitioner prior to filing the instant writ petition did not submit any objection before the Baruipur Municipality, accordingly,

there is no scope to pass any order in the present writ petition.

It will be open for the petitioner to file appropriate representation before the Municipality, if the petitioner is aggrieved by any action on the part of the Municipality.

The writ petition stands disposed of.

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

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.)