

04
10.01.2023
d.p.

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

W.P.A 27658 of 2022

**Happy Sunshine
-versus
The Howrah Municipal Corporation & Ors.**

**Mr. Tanmoy Mukherjee,
Mr. Souvik Das,
Mr. K. R. Ahmed,
Mr. Rudranil Das.
...For the Petitioner.**

**Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Sobhan Majumder.
...For HMC.**

Learned advocate appearing for the Howrah Municipal Corporation submits, upon instructions, that a spot inspection was conducted upon prior notice to the petitioner. Inspection report has, however, not been served.

Let copy of the inspection report be served upon the petitioner and an opportunity of hearing be given to the petitioner to defend the disputed construction.

After hearing the petitioner, a decision shall be taken by the Howrah Municipal Corporation to deal with any construction which may have been constructed beyond the plan sanctioned by the Howrah Municipal Corporation.

The aforesaid exercise shall be concluded at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

Till a final decision is taken in the matter, let no coercive action be taken against the petitioner.

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.)