

OD-2

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1213/2023

RADHA MUKHERJEE
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE HIRANMAY BHATTACHARYYA

Date : 22nd May, 2023.

[VACATION BENCH]

Appearance:
Mr. Raghunath Chakraborty, Adv.
Ms. Amrita Dey, Adv.
...for the petitioner

Mr. Gopal Ch. Das, Adv.
Mr. D. Chakraborty, Adv.
...for the K.M.C.

The Court:- The petitioner is aggrieved as the representation filed by the petitioner on May 16, 2023 praying for revocation and/or cancellation of the sanctioned building plan of premises no. 9, Bhim Ghosh Lane, Police Station – Burtolla, Kolkata-700006 on the ground mentioned under Section 397 of the Kolkata Municipal Act, 1980 has not been disposed of. The Corporation is represented by Mr. Das, learned Advocate who submits that there is no urgency in this matter by drawing the attention of this Court to a decision dated April 27, 2017. Since no decision has been taken on the representation of the petitioner praying for cancellation and/or revocation of the sanctioned building plan under the provisions of Section 397 of the Kolkata Municipal Act, 1980, dated May 16,

2023, this writ petition is disposed of by directing the Municipal Commissioner being the second respondent to consider the representation dated 16th May, 2023 and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner, the private respondent or their authorized representatives and any other interested persons as the Commissioner may deem fit and proper and communicate such order to the parties immediately thereafter. The entire exercise shall be completed within a period of eight weeks from the receipt of the server copy of this order.

(HIRANMAY BHATTACHARYYA, J.)