

OD-3

ORDER SHEET
WPO No.1721 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SULEKHA DAW & ORS.
VERSUS
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 18th October, 2023.

Appearance:
Mr. Rupak Ghosh, Adv.
Mr. Jayanta Sengupta, Adv.
Mr. Ayan Mitra, Adv.
...for Petitioners.

Mr. Biswajit Mukherjee, Adv.
Mr. S. Panda, Adv.
...for KMC.

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

The petitioners are aggrieved by the inaction on the part of the Kolkata Municipal Corporation in taking steps to consider and dispose of the objection filed by the petitioners alleging illegal and unauthorised parking with loading and unloading of trucks/lorries at Banarasi Ghosh Street beside Tajendra Uddyan in front of 55, Banarasi Ghosh Street, Kolkata 700 007 and parking of vehicle at the intersection of Vivekannand Road and Banarashi Ghosh Street.

The petitioners have obtained information under the Right to Information Act, 2005 wherein it has been mentioned that no parking space has been allotted to the freight vehicle. The petitioners submit that the entire stretch of the road is so congested that in case of an emergency, neither the ambulance nor the fire brigade can avail the said road.

The objection filed by the petitioners appears to be pending consideration before the respondent authorities.

In view of the above, the instant writ petition is disposed of by directing the Manager, Car Parking Department to take immediate steps for

consideration of the representation filed by the petitioner in accordance with law after giving a reasonable opportunity of hearing to the petitioners and all other necessary parties and to pass a reasoned order and communicate the same to the parties. Steps shall be taken in the matter at the earliest, but positively within a period of eight weeks from the date of communication of this order.

Prior to passing the final order in the matter, the aforesaid respondent is directed to cause spot inspection to ascertain proper facts.

Till the matter is finally disposed of by the aforesaid respondent, the Officer-in-Charge, Girish Park Police Station is directed to ensure that there is no illegal parking and the road remains free for vehicular traffic.

Learned advocate appearing on behalf of the petitioner is directed to forward a copy of the representation dated 11th August, 2023 along with all documents in support of their claim to the aforesaid respondents at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all legal formalities.

(AMRITA SINHA, J.)