

ML 1509
13.03.2024
d.p.

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

W.P.A 397 of 2024

**Susanta Sarkar
-versus
Ranaghat Municipality & Ors.**

**Mr. Sunny Nandy,
Mr. Anand Jha,
Mr. Subha Pathak.
...For the Petitioner.**

**Mr. Kallol Basu,
Mr. Samik Sarkar.
...For the Private respondents.**

**Mr. Achintya Banerjee,
Ms. Indomouli Banerjee.
...For the Municipality.**

The petitioner complains of illegal and unauthorized construction at the behest of private respondents.

It has been submitted that in response to the complaint lodged against such unauthorized construction, the Ranaghat Municipality has fixed date for hearing on 22nd March, 2024.

Learned advocate appearing for the private respondents submits that the construction in question is being made in accordance with the plan sanctioned by the Municipality.

Be that as it may, as it appears that the Municipality has already fixed the date of hearing on

22nd March, 2024, the parties are directed to attend the hearing and making respective submissions along with supporting documents.

The Municipality shall decide the issue of unauthorized construction in accordance with law.

A reasoned order shall be passed and communicated to all the necessary parties.

The notice of hearing dated 20th February, 2024 be retained with the records.

Since this writ petition is disposed of without inviting any affidavit from any of the parties, it is made clear that the allegations made by the petitioner in this writ petition are deemed not to have been admitted by the respondents.

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.)