

ML 270
16.04.2024
d.p.

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

W.P.A 1858 of 2024

**Dipak Jaiswal & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Sounak Ghosh,
Ms. Shreyashi Maity.
...For the Petitioners.**

**Ms. Rupsha Chakraborty,
Mr. D. Mukherjee.
...For the State.**

**Mr. Ayan Banerjee,
Ms. Debasree Dhamali.
...For the Bally Municipality.**

The petitioners complain of illegal and unauthorized construction at the behest of the private respondent. Objection against such unauthorized construction is alleged to be kept pending.

On a perusal of the said objection, it appears that the premises where the alleged unauthorized construction is being made is not clearly mentioned in the objection.

Learned advocate appearing for the Municipality submits that the Municipality failed to identify the structure which has been alleged to be constructed unauthorizedly.

In view of the above, it will be open for the petitioners to file fresh objection by mentioning the

proper premises number and highlighting the illegalities of raising construction.

If such a representation is made, the same shall be considered by the Bally Municipality in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties and by passing a reasoned order at the earliest.

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.)