

Item No.29

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

06.05.2024
Ct-24

WPA 2371 of 2024

Sujit Bhattacharya

v.

The Howrah Municipal Corporation & Ors.

Mr. Samrat Choudhury

Mr. Ushananda Jana

Mr. Biswajit Mukherjee

Ms. Parna Dutta

Mr. Suman Chatterjee

... for the petitioner.

Mr. Lalit Mohan Mahata, AGP

Mr. Rudranil De

... for the State.

Mr. Ayan Banerjee

Ms. Debasree Dhamali

Ms. Riya Ghosh

... for the Bally Municipality.

Mr. Santanu Chatterjee

... for HMC.

The petitioner complains of illegal and unauthorized construction at premises no. 26, Ganga Kanto Bhaduri Street, P.O. & P.S.-Bally under the jurisdiction of Bally Municipality.

From the documents annexed to the writ petition it does not appear that any formal objection was lodged before the Bally Municipality alleging unauthorized construction.

In view of the above, the instant writ petition is disposed of by granting leave to the petitioner to file a comprehensive representation before the Bally

Municipality highlighting the illegalities in the construction that has been made.

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

A spot inspection shall be conducted to ascertain the nature and extent of unauthorized construction alleged by the petitioner.

Steps shall be taken in the matter 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.

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(Amrita Sinha, J.)