

Item No.11

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

06.05.2024
Ct-24

WPA 4572 of 2023
M/s. Mondal Constructions Company Limited & Anr.
v.
The Chandernagore Municipal Corporation & Ors.

Mr. Raghu Nath Chakraborty
Mr. Suman Banerjee
... for the petitioners.

Mr. Suman Basu
... for the Municipality.

Mr. Bikash Shaw
... for the respondent nos. 9, 11 & 13.

The petitioners pray for implementation of the order passed by the Chandernagore Municipal Corporation on September 28, 2022.

Certain gumties were found to be constructed by the private respondents which were directed to be removed by the Corporation within seven days. The time period within which the removal ought to have been made has long expired. The petitioners pray for implementation of the said order.

A written representation on behalf of the petitioners is pending consideration before the Corporation.

Learned advocate representing the private respondent nos. 9, 11 and 13 submits, upon instruction that, an objection was filed against the order passed by the Corporation. However, no copy of the said objection has been produced before the Court.

The private respondents submit that they are conducting their business from the gumties for more than three decades.

The Corporation is directed to take steps in terms of the order dated September 28, 2022. The Corporation shall keep in mind the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 at the time of implementing the order.

Steps shall be taken at the earliest but positively within a period of four months from the date of communication of this order.

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

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.

Sh

(Amrita Sinha, J.)