

15. 29.02.2024
Court No.15
(Tanmoy)

WPA/6232/2019

**Shri Shri Muralidhar Jiew
-Versus-
The State of West Bengal & Ors.**

Mr. Saikat Chatterjee, Adv.,
Mr. Agniswar Chowdhury, Adv.

...for the petitioner.

Ms. Sonal Sinha, Adv.,
Mr. Avishek Prasad, Adv.

... for English Bazar Municipality.

Mr. Udaynarayan Betal, Adv.,
Mr. Vinit Pandey, Adv.

...for the private respondents.

Affidavit of service filed on behalf of the petitioner is taken on record.

The writ petition is heard in presence of learned Advocates representing the petitioner, English Bazar Municipality and the private respondents.

It has been submitted on behalf of the petitioner that the writ petition was filed for non-consideration of the complaint dated 24th September, 2018, which is at page 46 of the writ petition, same was lodged before the concerned authority of the municipality against the construction being made by the private respondents. But during course of hearing it has been submitted that the municipality has already accorded sanctioned plan in favour of the private respondents being no.35/2017-18 dated 7th December, 2017. However, in paragraph 10 of

the affidavit-in-reply petitioner has made out a new case in order to question the plan sanctioned in favour of the private respondents.

Considering the prayer made in this writ petition which centers around the complaint of the petitioner dated 24th September, 2018, the challenge which has been attempted to be thrown against the sanctioned plan dated 7th December, 2017, cannot be delved into in this writ petition.

Accordingly, the writ petition being WPA 6232 of 2019 stands disposed of thereby granting leave to the petitioner to take steps in accordance with law against the plan sanctioned in favour of the private respondents, if so advised.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)