

WPA 7203 of 2022

**Abdus Shattar
Vs.
The State of West Bengal & Ors.
(Assigned)**

Mr. Mukteswar Maity
Ms. Manika Sarkar
Ms. Nupur Chowdhury

... .. for the Petitioner

Mr. Mukteswar Maity, learned advocate appears for the petitioner. Even after service no one appears for the Murshidabad Zilla Parishad.

Learned counsel appearing for the petitioner files a supplementary affidavit which was duly served upon the respondent authorities. Affidavit of service in this regard is filed and kept with the record. From annexure P-5 which was annexed with the supplementary affidavit it is seen that the Additional Executive Officer, Murshidabad Zilla Parishad has directed the petitioner as under:

“In this regard you are directed to deposit the fine of the amount of Rs 45,000/- (Forty five thousand) as as calculated and as per order of Special Secretary, Govt. of West Bengal vide Memo No. 232/AD/PN/O/1/1A-07/2016 dated 29.03.2018 deposit the amount of Rs.11,940.00 (Eleven thousand nine hundred forty) (i.e. @ Rs. 1.00 per sq.ft i.e. total 11,940.00 sq.ft X 1.00) for granting permission for erection of structure/building.

Therefore, the total amount of Rs. 56,940.00 (Rupees Fifty six thousand nine hundred forty) will have to be deposited by NEFT/RTGS/demand draft in favour of Additional Executive Officer, Murshidabad Zilla Parishad to Account Section of this Parishad on any working days. After receiving the said amount, the permission letter will be issued for said construction from this Parishad.”

Prayer of the petitioner was for issuing mandamus upon the respondent no.4 to accord necessary sanction of the building plan of the petitioner submitted before the respondent no.4 with all relevant documents dated 29.09.2021. According to the petitioner the prayer of the petitioner was accepted by the Additional Executive Officer and a direction was given to submit Rs.56,940/-. Only after such payment, permission letter for construction will be given by the Murshidabad Zilla Parishad.

On the above pre-text nothing remains in this writ petition and the writ petition is disposed of.

(Rajarshi Bharadwaj, J.)