

10.09.2024
Item No.8
gd/ssd

WPA(P)/162/2024
CHANDRAJIT HALDER
VS
HOWRAH MUNICIPAL CORPORATION AND ORS.
IA NO: CAN/1/2024

Mr. Nilmoni Das
..for the Petitioner.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
..for Howrah Municipal Corporation.

Mr. Rajendra Banerjee,
Mr. Joy Chakraborty,
Mr. Sandip Dinda,
Mr. Ranjit Malakar
..for the Respondent Nos.5 and 6.

1. This application in CAN 1 of 2024 has been filed for suitably modifying the order and direction issued in WPA(P) 162 of 2024 dated 20.06.2024.

2. The only grievance of the applicant is that though a direction was given to consider the petitioner's representation, there was no specific time limit within which the order has to be passed and no specific direction for the copy of the order to be served on the petitioner. The operative portion of the order passed in the writ petition as follows:

“4. Therefore, we direct the respondent nos. 2, 3 and 4 to consider the petitioner's representation dated 7th February, 2024 and depute one of the officers to conduct a surprise inspection of the construction put up by the respondent nos.5 and 6 and examine

as to whether the construction is in accordance with the sanctioned plan and if it is not so, the appropriate notices shall be issued to the respondent nos.5 and 6 in accordance with the relevant rules and including orders for stopping of any further construction, if it is found that there is deviation or violation of the sanctioned plan, the inspection shall be conducted within two weeks from the date of receipt of server copy of this order.”

3. As could be seen from the above order, the inspection was directed to be conducted within two weeks from the date of receipt of server copy of the writ petition.

4. It goes without saying that after conducting the inspection the authority concerned shall pass a speaking order and communicate the same to the applicant/writ petition within a period of three months from the date on which the inspection is conducted.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)