

03.12.2024
Sl. No.49
Ct. No.15
S.A.

WPA 13776 of 2024

**Soumyajit Saha
-vs-
State of West Bengal & Ors.**

Mr. Partha Pratim Roy
Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty
...for the petitioner

Mr. Apurba Kumar Ghosh
Mr. Rudranil Ghosh
...for respondent nos.6 & 7

Mr. Prosenjit Mukherjee
Mr. Arghya Kamal Das
Ms. Babita Pramanik
Ms. Manisa Mandal
Mr. Jahangir Hossain
...for respondent no.10

Mr. Tapas Kumar Ghosh
Mr. Tanmay Chowdhury
...for respondent nos.2 to 5

Mr. Indranil Roy
Ms. Debarati Sen (Bose)
...for the State

The report filed by the Municipality shall be kept on record.

The petitioner has challenged a show cause notice dated December 26, 2023, at page 25 of the writ petition. The notice was issued against the petitioner in relation to sanctioned plan for a building at Holding No. 390/163, Mahalla-Town Guard, Ward No. 19, under the jurisdiction of the Hooghly-Chinsurah Municipality.

The learned advocate representing the Municipality submits that the show cause notice dated December 26, 2023, was issued as the petitioner failed to provide a no-objection certificate

from one Deb Kumar Mukhopadhyay and has also failed to give the statutory notice to the Board of Councillors in the prescribed form. The learned advocate further submits that no order has been passed yet by the Municipality that may cause any grievance to the writ petitioner.

The petitioner contends that he is unable to provide the documents as asked by the Municipality.

In my view, since no final decision has yet been made by the Municipality, no interference is warranted at this stage.

The learned advocate for the Municipality submits that a decision will be made only after hearing the petitioner as well as the private respondents.

In light of the foregoing, this writ petition is disposed of with a direction to the Municipality to issue a reasoned order following the notice dated December 26, 2023, after hearing all concerned parties, within a period of four weeks from the date of communication of this order.

Accordingly, **WPA 13776 of 2024** is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties on compliance of usual legal formalities.

(Kausik Chanda, J.)