

21.06.2024
Item No.18
Ct. No.15
S.A.

WPA 14484 of 2024

**Pushpa Shaw
-vs-
State of West Bengal & Ors.**

Ms. Shebatee Datta
Ms. Poulami Roy
...for the petitioner
Mr. Joydip Banerjee
Mr. Sanjay Mukherjee
...for the State
Mr. Aditya Mondal
...for respondent no.12
Mr. Shyamal Kumar Das
Ms. Smita Pal
...for Titagarh Municipality

The petitioner alleges that respondent no.12 has obtained a sanctioned plan for a G+2 storied building at Holding No.56, B. T. Road, Vivek Nagar, Titagarh, Kolkata-700117 following a development agreement entered into between the owner of the land and respondent no.12. The petitioner entered into an agreement with respondent no.12 for purchase of a flat on the ground floor. The petitioner subsequently found that in violation of the sanctioned plan, respondent no.12 has raised two additional floors over and above the G+2 storied building.

The petitioner alleges that the structural stability of the building is at risk by construction of the additional two floors.

Learned advocate for respondent no.12, on the other hand, submits that respondent no.12 has raised the construction in terms of the plan sanctioned granted by Titagarh Municipality.

Having regard to the stands taken by the respective parties, I am not inclined to go into the merit of the grievance of the writ petitioner. However, in the aforesaid facts, I direct the Titagarh Municipality to consider the representation dated May 13, 2024, filed by the petitioner to the Chairman of the Municipality (appearing at Page 41 of the writ petition) within a period of one month from date.

The Chairman shall pass a reasoned order after hearing the concerned parties. The reasoned order shall be communicated to the parties within a period of seven days thereafter.

Accordingly, **WPA 14484 of 2024** is disposed of.

(Kausik Chanda, J.)