

Sl. No.83  
15.01.2024  
Court no.15  
sd

*IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE*

*W.P.A. 10479 of 2016*  
With  
IA No. CAN 1 of 2017 (Old No. CAN 7928 of 2017)

*Binoy Chandra Jha*  
Vs.  
*Howrah Municipal Corporation and Ors.*

Mr. Goutam Dey  
Ms. Ankita Ghosh  
Mr. Ankan Mondal

.....for the petitioner.

Mr. K. Bhattacharya  
Mr. D. Mukherjee

...for the respondent nos. 5 to 7.

Mr. Sandipan Banerjee  
Mr. Ankit Surekha

...for the HMC

Petitioner alleges unauthorised construction at the instance of respondent nos. 5 to 7 at premises no. 2/1, Bhajanlal Lohia Lane within the jurisdiction of Howrah Municipal Corporation.

Today at the time of hearing of the writ petition, petitioner, Howrah Municipal Corporation and the respondent nos. 5 to 7 are represented.

Attention of this court has been drawn to the complaint dated 6<sup>th</sup> April, 2016 made to the authorities of Howrah Municipal Corporation whereby the concerned authorities were requested to take necessary

steps against the alleged unauthorised constructions made by the respondent nos. 5 to 7.

After hearing the learned advocate representing the petitioner, private respondents and the Howrah Municipal Corporation, this court directs the concerned authorities of Howrah Municipal Corporation to initiate a proceeding under Section 177 of the Howrah Municipal Corporation Act, 1980 within a period of four weeks from the date of communication of this order and conclude the said proceeding within a period of 16 weeks from the date of communication of the order. However, it is made clear that before passing final order on culmination of the proceeding to be drawn up opportunity of hearing shall be afforded to the petitioner and the respondent nos. 5 to 7. The order to be passed by the concerned authority of HMC shall be communicated to the petitioner and the respondent nos. 5 to 7 within a week thereafter.

With the aforesaid directions, the writ petition being WPA 10479 of 2016 stands disposed of.

In view of the order passed today, the application being IA No. CAN 1 of 2017( Old No. CAN 7928 of 2017) wherein the prayer has been made for expeditious disposal of the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

***(Saugata Bhattacharyya, J.)***