

23.09.2024.
PB
Sl. No.66.
Ct. No.15

WPA 15414 of 2024

Sanjibeswar Roy
Vs
The State of West Bengal & Ors.

Mr. Dinabandhu Chowdhury,
Mr. Amal Kumar Saha,
Mr. Iresh Paul,
Ms. Granthana Kayal.
... For the Petitioner.

Mr. Sirsanya Bandopadhyay,
Mr. Arka Kumar Nag,
Mr. T. Dey.
.....For the BMC.

Mr. Sukanta Chakrabarty,
Ms. Debapriya Gupta.
.....For the UOI.

The petitioner claims to be the owner of a residential building at Plot No.AD-175, Sector-I, Salt Lake, Kolkata – 700 064.

It is the grievance of the petitioner that an agreement for a lease and license was entered into between his mother and the respondent no.7 for the ground floor and first floor of the said premises.

The license agreement stipulated that respondent no.7 could use the said premises only for residential purpose.

In breach of the agreement, respondent no.7 has converted a portion of the property into a commercial guest house.

It appears that the petitioner has made a representation before the respondent authorities by a letter dated April 19, 2024, against the illegal conversion of the residential building for commercial use. The petitioner submits that the said representation has not yet been considered.

In that view of the matter, I direct the Land Manager, Department of Urban Development and Municipal Affairs, respondent no.2 to consider the representation dated April 19, 2024, in accordance with law within a period of three months from the date of communication of this order. The said authority shall hear the petitioner as well as the respondent no.7 in arriving at his decision.

It further appears that the petitioner has made another representation before the Municipal Commissioner, Bidhannagar Municipal Corporation, respondent no.3 objecting to the issuance of an E-trade License in favour of the respondent no.7.

Let the said representation dated April 29, 2024 be considered by the Municipal Commissioner, Bidhannagar Municipal Corporation within a period of two months from date after giving an opportunity of

hearing to the petitioner as well as the respondent no.7.

With the aforesaid direction, WPA 15414 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.)