

S/L 9
07.10.2024
Court. No. 551
Suvayan

WPA 17112 of 2024

**Anita Karmakar
Vs.
The State of West Bengal & Ors.**

*Mr. Binay Kumar Panda
Mr. Raju Mondal*

...for the petitioner.

*Mr. Rama Haldar
Mr. Tapas Chatterjee*

...for the State.

*Mr. Sandipan Banerjee
Ms. Utsa Dutta*

...for the Corporation.

*Mr. Subrata Bhattacharyya
Ms. Shipra Santra*

...for the respondent nos. 4, 5 & 6.

1. At the time of hearing learned Advocate for the Durgapur Municipal Corporation has submitted that though he undertook to file a report today but due to intervening holidays and absence of the Municipal Commissioner such report could not be prepared, however, the handwritten inspection report dated 05.10.2024 as prepared by Sub-Assistant Engineer, Durgapur Municipal Corporation is provided to him and a photocopy of which is filed before this Court and the same is taken on record.

2. A photocopy of the inspection report dated 05.10.2024 was also served upon the learned Advocate for the writ petitioner as well as upon learned Advocate for the private respondents in Court today.

3. It is further submitted on behalf of the respondent Corporation that during the said inspection it was found that a car parking space of the ground floor of the building in question has been covered by walls which is beyond the sanctioned plan.

4. Such being the position, this Court directs the Commissioner of the Durgapur Municipal Corporation to consider the petition/letter dated 29.04.2024 as submitted by the writ petitioner as a representation in the light of the inspection report dated 05.10.2024 after serving due notice upon the writ petitioner and the private respondents and thereafter shall pass a reasoned order and shall communicate the same both to the writ petitioner as well as to the private respondents. The entire exercise as mentioned supra is to be completed by the Commissioner of the Durgapur Municipal Corporation by December 31, 2024.

5. With the aforementioned observations, the instant writ petition being **WPA 17112 of 2024** is hereby disposed of.

6. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)