

30.08.2024
Sl. 166
Suman
Ct.No.15

WPA 17430 of 2022
With
CAN 1 of 2024

Shree Shree Lachminarain Jew and Ors.
Vs.
The Kolkata Municipal Corporation and Ors.

Mr. Pratik Majumder
Mr. Aniruddha Sinha
..for the petitioners

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
..for KMC

Re: **CAN 1 of 2024**

This is an application for restoration.

Having regard to the averments made in paragraphs 3 to 5 of this restoration application, I am of the view that the petitioners have sufficiently explained the reason for their non-appearance before this Court on May 10, 2024.

Accordingly, **CAN 1 of 2024** stands allowed and **WPA 17430 of 2022** is restored to its file and number.

Re: **WPA 17430 of 2022**

The petitioners allege unauthorised construction at the behest of respondent nos. 9 and 10 at premises

no.13/1, Satin Sen Sarani. The petitioners claim themselves to be the owner of the relevant land.

It appears that the petitioners have made a representation before the Executive Engineer, Borough-III of the Kolkata Municipal Corporation by a letter dated May 29, 2022.

It is the grievance of the petitioners that the said representation has not yet been considered.

Learned advocate representing the Kolkata Municipal Corporation submits that the representation of the petitioners shall be duly considered.

In that view of the matter, I dispose of this writ petition with a direction upon the Executive Engineer, Borough-III of the Kolkata Municipal Corporation to consider the representation dated May 29, 2022, within a period of one month from the date of communication of this order in accordance with law after giving an opportunity of hearing to all concerned.

A reasoned order should be communicated to the petitioners within a period of seven days thereafter.

Accordingly, **WPA 17430 of 2022** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)