

D/L 56
25.09.2024
Rohit
ct.no.15

W.P.A. 18578 of 2024

**Swapan Banerjee
Versus
State of West Bengal and others**

Mr. Jayanta Sengupta
Mr. Sarbojit Mukherjee
Mr. Sagnik Basu
Mr. Dilawar Khan
Mr. Arjun Bhajan
Mr. Soupayan Sinha Roy
...for the petitioner.

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
...for the State

Mr. Sandipan Banerjee
...for Durgapur Municipal Corporation

The petitioner asserts that he has obtained a sanctioned plan for a G+5 storied building located at premises no. 20, Padma Pukur, Durgapur, West Bengal – 713213. The petitioner contends that, in accordance with the applicable building regulations of the Durgapur Municipal Corporation, he is entitled to a higher floor area ratio (F.A.R). He seeks to utilize this additional F.A.R by constructing an extra floor.

The petitioner has submitted a representation to the Durgapur Municipal Corporation, which is appearing at Page 79 of the writ petition; however, this representation has yet to be addressed by the Corporation.

The Municipal Corporation should have duly considered the petitioner's prayer for a revision of his sanctioned plan.

Consequently, W.P.A No. 18578 of 2024 is disposed of with a directive upon the Durgapur Municipal Corporation to evaluate the proposed revision of the plan submitted by the petitioner, contingent upon the payment of the requisite fees.

The petitioner is instructed to submit an application to the Durgapur Municipal Corporation within fifteen days from the date of this order regarding the revision of the sanctioned plan. Should such an application be submitted, the Corporation shall decide it within two months thereafter, in accordance with law.

W.P.A No. 18578 of 2024 is disposed of.

Urgent certified website copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)

