

Item No.23

28.02.2024
Ct-24

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 19191 of 2023
Muktar Alam

v.

The Kolkata Municipal Corporation & Ors.

Mr. A.M. Rahaman
Mr. Sankar Paul
Mr. Aleyah Qurasi
Mr. Goutam Malik
... for the petitioner.

Ms. Mitali Mukherjee
Ms. Kalpita Pal
... for the State.

Mr. Subhrangsu Panda
Ms. Ina Bhattacharyya
... for KMC.

Mr. S.C. Shrivastava
Mr. S.K.Das
... for the respondent no. 7.

The petitioner complains that the private respondent is raising construction relying upon a plan which was obtained by practicing misrepresentation and fraud. Complaint lodged against the private respondent is pending consideration before the Kolkata Municipal Corporation.

Learned advocate representing the private respondent denies the allegation of the petitioner.

Without entering into the merit of the allegation of the petitioner, as it appears that the objection seeking cancellation of the building sanctioned plan is pending consideration at the end of the Corporation, accordingly,

the instant writ petition is disposed of by directing the Municipal Commissioner to consider and dispose of the objection filed by the petitioner in accordance with law after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively within a period of twelve weeks from the date of communication of a copy of this order. A reasoned order shall be passed and communicated to the parties.

If it transpires that the allegation made by the petitioner is genuine, then necessary consequential steps shall be taken in the matter.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)