

15-05-2024
Item No.169 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.20276 of 2022
Gobinda Das
-vs-
The State of West Bengal & Ors.

Mr. Priyabrata Batabyal
Mr. Anirban Sarkar
Mr. Jayanta Das ...for the petitioner

The petitioner was raising construction under the Pradhan Mantri Awas Yojna Scheme. On the objection filed by the private respondent, a hearing notice was issued by the Katwa Municipality to the petitioner and a date of hearing was fixed on May 6, 2022.

Learned advocate for the petitioner submits that his client was present at the hearing on the stipulated date. The hearing was duly conducted but the final order is yet to be passed and intimated to the petitioner.

None to oppose the writ petition. Affidavit of service is taken on record.

As the municipality conducted a hearing and the hearing actually took place on the stipulated date, accordingly, it is incumbent duty of the municipality to pass an order thereon and communicate the same to the parties.

Hence, the writ petition is disposed of by directing the Katwa Municipality to take steps to communicate the petitioner the fate of hearing taken on

May 6, 2022 at the earliest, but positively within four weeks from the date of communication of this order.

The petitioner is directed to forward a copy of the hearing notice to the aforesaid respondent at the time of communicating the order of this court.

The writ petition is disposed of.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]