

04-03-2024
Item No.16 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.21169 of 2023
Aklima Begum
-vs-
The State of West Bengal & Ors.

Mr. Manoj Kr Bhattacharyya ...for the petitioner

Mr. Suman Ghosh
Mr. Sanatan Panja ...for the State

Mr. Sujay Bandyopadhyay
Mr. Jagajyoti Das
Mr. Pradipta Siddhanta ...for the municipality

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury ...for respondents 5-7

The order dated April 13, 2023 passed by the Board of Councillors of Midnapore Municipality is impugned in this instant writ petition.

It appears, upon hearing learned counsel for the respective parties, that there is an issue of encroachment.

The petitioner contends that the construction is being made in an unauthorised manner. On the other hand, the private respondents submit that the construction is being made in accordance with the plan sanctioned, and that the municipality has already passed order in this regard.

According to law, the impugned order is an appealable one.

In view of the same, this court is not inclined to exercise jurisdiction in this matter. It will be open for

the parties to approach the appellate forum for relief.

The writ petition stands disposed of.

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

[Amrita Sinha, J]