

Sl. No.76
01.10.2024
Suman
Ct. 15

WPA 22340 of 2024

S. P. Construction and Ors.
Vs.
The Kalyani Municipality and Ors.

Mr. Anindya Lahiri
Mr. Samrat Dey Paul
Mr. A. Chakraborty
..for the petitioners

The petitioners obtained a sanctioned plan for a G+4 storeyed building at premises No. B-12/25, Ward No. 11, under the jurisdiction of Kalyani Municipality.

It appears that Kalyani Municipality subsequently issued notices dated June 27, 2024, July 25, 2024 and August 20, 2024, against the petitioners, alleging unauthorised construction at the said premises and directed for its demolition.

The learned advocate representing the petitioners contends that they submitted a representation to the Municipality for the regularization of the unauthorized construction in accordance with the Notifications dated July 28, 2023, and December 4, 2023, issued by the Urban Development and Municipal Affairs Department of the State.

The petitioners allege that their representation for regularization, dated July 29, 2024, addressed to the Municipality, has not yet been considered.

The Municipality is not represented.

In light of the foregoing circumstances, this writ petition is disposed of with a directive to Kalyani Municipality to consider the representation appearing at page 24 of the writ petition within two months from the date of communication of this order, in accordance with the law.

The Municipality shall afford the petitioners an opportunity to be heard prior to issuing a reasoned order, which should be communicated to the petitioners immediately thereafter.

Accordingly, **WPA 22340 of 2024** 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.)