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04.03.2024  
d.p.

**In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side**

**W.P.A. 21786 of 2023**

**Reena Roy nee Bhattacharya  
-versus  
The Arambagh Municipality & Ors.**

**Mr. Tapan Kumar Rakshit,  
Mr. Surajit Roy.  
...For the Petitioner.**

**Ms. Sunjukta Gupta,  
Mr. Chandan Kumar Mandal.  
...For the State.**

**Mr. Saikat Chatterjee,  
Mr. Puranjan Pal.  
...For the Respondent No.6.**

**Mr. Suddhadev Adak,  
Ms. Richa Pramanik.  
...For the Municipality.**

The petitioner complains that the representation filed before the Municipality in July 2023 is pending consideration.

Learned advocate appearing for the respondents produces copy of notice directing the parties to appear for a hearing on 5<sup>th</sup> October, 2023.

Learned advocate appearing for the private respondent submits, upon instructions, that though the private respondent was present at the time of hearing but the petitioner remained absent.

Learned advocate appearing for the petitioner submits that the notice was not served upon the petitioner at all.

The Court has not been made aware of the fact as to whether the hearing stood concluded and any final order been passed or not.

As it has been contended by the petitioner that no opportunity of hearing was granted to her, accordingly, the instant writ petition is disposed of by directing the Arambagh Municipality to take steps for consideration of the representation filed by the petitioner in July 2023 in accordance with law, at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

Both the parties will be entitled to rely upon all documents in support of their claim. A reasoned order shall be passed and communicated to the parties.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

Learned advocate for the petitioner is directed to forward the representation submitted before the Municipality in July, 2023 at the time of communicating the order of the Court.

Let copy of the notice of hearing dated 23<sup>rd</sup> September, 2023 and the settlement deed submitted by the learned advocate appearing for the private respondent be retained with the records.

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.

**( Amrita Sinha, J.)**