

21.05.2024.
PB
Sl. No.14.
Ct. No.24.

WPA 22342 of 2022

Tridip Ghosh
Vs
The State of West Bengal & Ors.

Mr. Jaydeep Biswas,
Mr. Kaushik Ghosh.
.....for the petitioner.

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee.
.....for the KMC.

Mr. Susanta Pal,
Mr. Prabir Kr. Ray.
.....for the State.

The petitioner complains of illegal unauthorized construction at premises no.17A, Balu Hakkak Lane, Police Station Karaya, Kolkata – 700 017, Ward No.64 under Borough No.VII of Kolkata Municipal Corporation. Objection lodged against such unauthorized construction is pending construction.

None represents the private respondent.

There is nothing on record to suggest that the copy of the writ petition was served upon the private respondent.

Learned advocate representing the Kolkata Municipal Corporation submits, upon instruction that, a date has been fixed for causing a spot inspection.

In view of the order that I propose to pass none of the non-appearing respondents would be prejudiced if the writ petition is disposed of in the following manner.

Let spot inspection be conducted upon prior notice to all the necessary parties including the petitioner and the private respondent. The spot inspection report shall be circulated to all the parties and thereafter an opportunity of hearing shall be granted to the parties for production of documents in support of the construction made.

In the event the Corporation detects unauthorized construction, then necessary remedial measure shall be taken to deal with the same. The Executive Engineer, Borough No.VII being the respondent no.6 herein shall take steps in the matter at the earliest but positively within twelve weeks from the date of communication of this order.

Learned advocate for the petitioner is directed to forward a copy of the representation dated September 9, 2022 to the aforesaid respondent at the time of communicating the order of the Court.

It will be open for the petitioner to make a fresh representation highlighting the unauthorized construction in the matter.

The writ petition stands disposed of.

Parties shall act on a server copy of this order duly downloaded from the official website of this Court.

(Amrita Sinha, J.)