

Item No.15

03.01.2024

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 24493 of 2023
Sri Suraj Kamkar

v.

The Howrah Municipal Corporation & Ors.

Mr. Sunny Nandy
Ms. Riya Das
Ms. Rani Kumari Shaw
Mr. Satya Prakash Shaw
... for the petitioner.

Mr. Ayan Banerjee
Mr. Dhiman Banerjee
... for the respondent no. 8.

Mr. Sandipan Banerjee
Mr. Ankit Sureka
Mr. Sobhan Majumder
Ms. Shetparna Ray
... for HMC.

This is the second round of litigation filed by the petitioner against the illegal construction over holding no. 17, New Seal Lane under Borough-IV of the Howrah Municipal Corporation.

In the earlier writ petition being WPA 7067 of 2023 order was passed on July 4, 2023 directing the Howrah Municipal Corporation to consider and dispose of the representation filed by the petitioner after conducting spot inspection and granting opportunity of hearing to all the parties.

Learned advocate for the petitioner submits that spot inspection was conducted and hearing given, but the final order is yet to be passed. The petitioner complains that third party interest is being created by

the private respondents in respect of the structure constructed unauthorizedly.

Learned advocate representing the Howrah Municipal Corporation submits, upon instruction that, necessary order will be passed shortly.

In view of the above, the instant writ petition is disposed of by directing the Municipal Commissioner or his delegate to take strict steps for compliance of the direction passed in the order dated July 4, 2023 in WPA 7067 of 2023.

Final order shall be passed in the matter at the earliest but positively within a period of four weeks from the date of communication of this order.

The writ petition stands disposed of.

Affidavit-of-service filed in Court today be taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)