

ML 98
01.04.2024
Ct. No. 15
adeb

W.P.A. 23922 of 2019

**Madhu Chowdhury
Vs.
The State of West Bengal & Ors.**

Mr. Tapash Kr. Bhattacharya
Mr. Aviroop Bhattacharya
...for the petitioner

The writ petition is heard in presence of the learned advocate representing the petitioner. However, no one appears for Panihati Municipality and respondent no. 6. It has also been submitted by the learned advocate representing the petitioner that respondent no. 5 has died in the meantime.

Matter was lastly heard on 11th March, 2024 when after hearing the learned advocate representing petitioner and municipality hearing of the writ petition was fixed today and in the meantime direction was given to take necessary steps in view of death of the respondent no. 5. It has been submitted by the petitioner that the particulars of the heirs of the respondent no. 5 could not be collected. Therefore, the steps could not be taken on filing substitution application.

Matter is heard on merit in absence of the respondents since it is found that the grievance of the petitioner is making unauthorized construction at the instance of some persons of the locality for which petitioner made a complaint on 19th November, 2019

which was docketed on the same date on behalf of Panihati Municipality.

In view of pendency of such complaint before the concerned authority of Panihati Municipality Court disposes of this writ petition directing concerned authority of Panihati Municipality to initiate proceeding under Section 218 of the West Bengal Municipal Act, 1993 and bring the same into logical conclusion within 16 (sixteen) weeks from the date of communication of this order after granting opportunity of hearing to the interested parties by passing reasoned order.

The order to be passed by the concerned authority of the municipality shall be communicated to the parties by 1 (one) week thereafter.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings

(Saugata Bhattacharyya, J.)