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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA/109/2024

NIVA RANI GHOSH

VS

THE STATE OF WEST BENGAL AND ORS.

Mr. Hillol Saha Podder.

...For the Petitioner.

Mr. Momenur Rahman,

Ms. Patralekha Chowdhury.

..For the State.

Mr. Deborshi Dhar.

..For Siliguri Municipal Corporation.

The petitioner complains of illegal and unauthorized construction at the behest of the respondent no.5. Objection was filed before the Siliguri Municipal Corporation. The petitioner complains that the objection was not taken up for consideration by the Corporation.

Learned advocate representing the Siliguri Municipal Corporation submits, upon instruction that, on receipt of the objection from the petitioner a date was fixed and notice of spot inspection was served upon the private respondent. Inspection was conducted in the presence of the private respondent. It was found that there was deviation at the time of raising the construction. A notice was served upon the private respondent for rectification of the deviated portion.

None represents the private respondent, despite service.

Affidavit of service filed in Court today is taken on record.

As it appears from the instruction forwarded by the Corporation that remedial steps have already been taken to redress the grievance of the petitioner and it was found that the unauthorized construction in the form of deviation exists at the subject premises, accordingly, the Commissioner, Siliguri Municipal Corporation is directed to take further necessary steps to redress the grievance of the petitioner and to remove the deviation as detected. Remedial steps shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order.

Writ petition stands disposed of.

Instruction forwarded by the Siliguri Municipal Corporation be retained with the records.

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

(Amrita Sinha, J.)