

12.06.2024
Ct. No. 02
Sl. No.28
Cp

Calcutta High Court
In the Circuit Bench at Jalpaiguri

WPA No. 879 of 2024

Sri Goutam Paul
Vs.
The State of West Bengal & ors.

Mr. Bapi Sarkar
Mr. C. M. Bhowal
.....for the petitioner.

Mr. Pretom Das
Mr. Sandip Guha Ray
....for the State.

Mr. Amales Ray
Mr. M. Chaturvedi
Mr. Nigam Mittal
Ms. Oshmita Mukherjee

....for the respondent nos. 4,5,6.

Mr. Deborshi Dhar
.....for the Corporation.

The question of locus of the petitioner to maintain the writ petition has been raised by Mr. Ray, learned advocate for the respondent nos. 4 to 6. This court is not required to go into such issue at this stage as it is submitted by Mr. Dhar, learned advocate appearing for the Siliguri Municipal Corporation, that a notice pursuant to the complaint received from the petitioner has been issued to the parties. They have been called for a hearing.

The writ petition is disposed of directing the Corporation to consider the representation of the petitioner and pass necessary orders in accordance with law.

This is not a case of unauthorized construction. The petitioner alleges that there has been change of user of the premises, in gross violation of the law. It is for the competent authority, i.e., the Siliguri Municipal Corporation to take into account such allegations and pass necessary orders as per law.

It is submitted that the hearing had been fixed on June 25, 2024. The parties are permitted to appear before the Commissioner, Siliguri Municipal Corporation at 12 noon on June 25, 2024 without further notice and agitate their grievances before the authority. Both parties are allowed to file their written versions in support of their contentions.

The matter shall be disposed of within a period of two months from the said date of hearing.

A reasoned order shall be passed and communicated to the parties.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)