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23.09.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 2000 of 2024

**Nirbhoy Chandra Chowdhury
-versus
The Jalpaiguri Municipality & Ors.**

**Mr. Ram Agarwala.
...For the Petitioner.**

**Mr. Anirban Biswas,
Ms. Kanak Mishra.
...For the Respondent No. 6.**

**Mr. Subir Kumar Saha,
Mr. Hirak Barman.
...For the State.**

**Mr. Pretom Das.
...For the Municipality.**

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

Application filed by the petitioner before the Chairman of the Jalpaiguri Municipality seeking removal of the encroachment made by the private respondents in front of his place is pending consideration.

Without entering into the merits of the said application, the instant writ petition is disposed of by directing the concerned authority of the Municipality to consider and dispose of the representation filed by the petitioner in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties and by passing a reasoned order.

In the event the authority comes to a conclusive finding that the unauthorized construction exists, then necessary consequential steps shall be taken to deal with such unauthorized construction in accordance with law.

The Municipality shall dispose of the representation at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)