

WPO/16/2024

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SAUMYENDRA NARAYAN BASU
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 5th February, 2024.

Appearance:
Mr. Aditya Sen, Adv.
...for the petitioner

Mr. Alak Kumar Ghosh, Adv.
Mr. Swapan Kr. Debnath, Adv.
...for the K.M.C.

Ms. Papiya Banerjee Bihani, Adv.
...for the State

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

The petitioner alleges that unknown persons have raised construction in front of the entrance of the petitioner's premises. The petitioner made representation in November, 2023 before the Officer-in-Charge of the concerned police station with copy to the Deputy Commissioner of Police, Commissioner, KMC, Director General Building, KMC to the Chairman, Borough No.10 of the Corporation and to the Councilor, Ward No.97. There is no response from the end of the respondents.

On a perusal of the document annexed to the writ petition and the averments made therein it appears that the petitioner is yet to serve any representation upon the Executive Engineer either Civil or Solid Waste Management Department of the concerned borough. The aforesaid respondents are competent to take steps if unauthorized construction is detected.

In view of the above, leave is granted to the petitioner to file appropriate representation before the Executive Engineers of the concerned borough.

If such representation is filed, the same shall be considered in accordance with law at the earliest and necessary remedial steps shall be taken.

The writ petition stands disposed of.

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

(AMRITA SINHA, J.)