

OD-11

WPO No.325 of 2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SYED MD. SHAHID QUASIMUDDIN
VERSUS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 18th April, 2024.

Appearance:
Mr. Raghunath Chatterjee, Adv.
Mr. Tarique Quasimuddin, Adv.
Mr. Kushal Chatterjee, Adv.
Mrs. Zainab Tahir, Adv.
..for Petitioner.

Mr. Gopal Chandra Das, Adv.
Ms. Manisha Nath, Adv.
...for KMC

Mr. Santanu Kr. Mitra, Sr. Govt. Adv.
Mr. Amartya Pal, Adv.
...for the State.

Mr. Rishad Medora, Adv.
Mr. Prodyot Kr. Nandi, Adv.
...for Private Respondents.

The Court:- The petitioner is aggrieved by the inaction on the part of the Corporation and the West Bengal Fire and Emergency Services in not taking into consideration the objection filed against the running of the eatery under the name and style of M/S. Baig Sahab, respondent no.9 at premises no.261, B. B. Ganguly Street, Ward No.44, Borough - V of the Kolkata Municipal Corporation.

Learned advocate representing the private respondents submits that all necessary permission/licence have been obtained from the respondent authorities for the purpose of running the eatery.

As it appears that the objection filed by the petitioner is pending consideration at the end of the respondent authorities, accordingly, the

instant writ petition is disposed of by directing the Municipal Commissioner or his delegate and the respondent no.2 to take into consideration the objection filed by the petitioner in January, 2024 annexed at pages 27 to 29 of the writ petition in accordance with law after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively within a period of sixteen weeks from the date of communication of this order. A reasoned order shall be passed and communicated to all the parties.

The parties will be permitted to rely upon all documents in support of their respective stand at the time of consideration of the representation.

Learned advocate for the petitioner is directed to forward a copy of the representation dated 19th January, 2024 to the aforesaid respondents at the time of communicating the order of the Court.

Report filed by Officer-in-Charge, Bowbazar Police Station is taken on record.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all legal formalities.

(AMRITA SINHA, J.)