

19.12.2025
sayandeep
Sl. No. 18
Ct. No. 03

WPA 2245 of 2024

Ruma Bera
Vs.
The State of West Bengal & ors.

Mr. Rishav Ahmed Khan
.....for the petitioner
Ms. Mousumi Bhowal
Mr. Aman Gupta
..... for the Municipality

1. The affidavit-of-service filed in Court today be taken on record.
2. The present writ petition has been filed, inter alia, calling upon the municipal authorities to dispose of the petitioner's complaint dated 17th August, 2023 and 28th August, 2023. According to the petitioner, complaining illegal construction at premises No. 189 Lake Town, Block B, Ward No. 30 under South Dum Dum Municipality, P.S. Lake town, North 24 Parganas, where an illegal construction is being carried out by the private respondent, the petitioner had made the representations.
3. Ms. Bhowal, learned advocate appears for the South Dum Dum municipality. She would, however, by inviting attention of this Court to the copies of the representations which has been annexed to the writ petition submit that it is difficult to ascertain from the above disclosure whether the same has been received by the municipality. According to her, the aforesaid

representations are not available on the file of the municipality.

4. Having heard the learned advocates appearing for the respective parties, since the petitioner is unable to demonstrate that the petitioner had served a demand of justice on the municipality, there is no scope to entertain the writ petition and pass any mandatory direction upon the municipality to consider the representations. However, the aforesaid order shall not stand in the way to the petitioner to make a separate representation. If such representation is made, the municipality shall act on the basis thereof and decide the same in accordance with law by giving an opportunity of hearing to the petitioner and the interested parties as expeditiously as possible preferably within a period of 10 weeks from the date of filing such representation and by passing a reasoned order. On the basis of the decision to be taken by the municipality, if any violations are noted appropriate action shall be taken.
5. With the above observations and direction, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)