

25.03.2025
Sl. No.84
Ct.3/ tkm

W.P.A. 3113 of 2025
[Surajit Das vs. State of West Bengal & Ors.]

Mr. Biswaroop Bhattacharya
Mr. Ratikanta Pal
... .. for the petitioner

Mr. Arka Kr. Nag
Ms. Deboleena Ghosh
... .. for Serampore Municipality
Mr. Kamalesh Jha
... .. for respondent no. 12
Mr. Partha Sarathi Basu
... .. for CESC Ltd.
Mr. Amitabrata Roy
Mr. Abdus Salam
... .. for the State

1. Affidavit of service is taken on record.
2. The petitioner has preferred the present writ petition being aggrieved by the inaction on the part of the respondent municipality in not taking appropriate action against respondent no. 9 who is allegedly running a commercial shop/outlet named 'Saha Drink' at premises no. 33 N S Avenue, Serampore, ward no.7 Hooghly, in gross violation of statutory norms.
3. It is the case of the petitioner that the said shop is being operated without a valid trade license. Furthermore, despite the property is being categorized as a residential one, the private respondent is allegedly enjoying a commercial electricity connection on the said property.

4. Learned counsel for the petitioner further points out that they have made a representation before the municipality on 14.1.2025 highlighting all the above-mentioned illegalities. However, till date no concrete action has been taken by the respondent authorities.
5. Learned counsel for the Serampore municipality submits that certain unauthorized illegal constructions exist at the above-mentioned premises and that the said commercial activity is being carried out without any valid fire license or the necessary trade license.
6. It is further submitted by the respondent authority that they are ready and willing to decide the petitioner's representation dated 14.1.2025 in accordance with law.
7. It is stated by the learned counsel for the respondent municipality that they have already afforded an opportunity of personal hearing to the petitioner as well as to the all other interested parties and the authority is presently in the process of passing a speaking order.
8. It is further submitted by the respondent authority that they will pass a speaking order within a period of two weeks from the date of communication of this order.

9. Learned counsel for the petitioner submits that he is satisfied with the statement made by the learned counsel for the respondent authority.
10. The present writ petition is disposed of by directing respondent authority to pass necessary speaking order within a period of two weeks from the date of communication of this order, as stated above.

(Gaurang Kanth, J.)