

02.04.2025
Sl. No. 10
Ct No. 3
SG

WPA 3735 of 2025

**Md. Toufik & Anr.
Vs
The State of West Bengal & Ors.**

Md. Sarwar Jahan,
Mr. Asif Mehdi.
...for the petitioners

Mr. Vimal Kumar Shahi,
Ms. Ina Bhattacheryya,
...for KMC

Mr. Shahan Shah,
Sk. Abumunsa,
Mr. Soumen Barman.
...for respondent nos. 11 & 12

1. The present writ petition has been filed seeking the expeditious consideration of petitioners' application dated 22.11.2024. Vide the said application the petitioner requested the Corporation for granting permission to repair the boundary walls as well as to construct a tile shed on their residential accommodation.

2. It is the contention of the petitioners that despite making multiple representations before the respondent authorities, no action has been taken, compelling them to seek judicial intervention.

3. Learned Counsel for the petitioners submits that the petitioners had initially submitted a representation dated 17.03.2020, followed by

successive representations dated 07.07.2020, 10.03.2021, 09.08.2021 and most recently on 22.11.2024. However, their grievances remain unaddressed till date.

4. Conversely, Learned Counsel for the respondent-Kolkata Municipal Corporation states that the petitioners had made several representations overtime. Wherein in the initial representation dated 17.03.2020 they sought permission for minor repair work of the existing boundary wall and old structure which is in dilapidated condition. However, in their subsequent representation they had sought approval for construction of tile shed residential structure at premises no. Q-647/C, S.A. Farooqui Road, P.S. Rajabagan, Kolkata. Learned Counsel for the respondent-corporation states that there is no structure existing at the present site.

5. Learned Counsel for the private respondents states that the petitioners are not in possession of the said property and are allegedly attempting to raise an illegal structure on the said land.

6. Be that as it may, learned Counsel for the respondent-corporation graciously submits that the municipal authorities are ready and willing to decide petitioners' representation dated 22.11.2024.

7. Learned Counsel for the petitioners states that his client shall be satisfied if their representation dated 22.11.2024 is decided in a time bound manner.

8. In view of the statement made by the respective parties, this Court directs the respondent-corporation to decide petitioners' representation dated 22.11.2024 by way of speaking order within a period of six weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioners as well as the private respondents and any other interested parties.

9. With the above direction, the present writ petition is disposed of.

10. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

11. There shall be no order as to costs.

12. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)