

24.03.2025
Sl. No. 121
Ct No. 3
SG

WPA 3843 of 2025

**Nilmani Goswami and Anr.
Vs
The State of West Bengal & Ors.**

Mr. Suddhadev Adak,
Mr. Rahul Kumar Saha,
Ms. R. Pramanick,
Mr. S. Sarkar.

...for the petitioner

Mr. Sandipan Banerjee,
Ms. Poushali Banerjee.

...for the KMC

Mr. Biswajit Sou.

...for respondent nos. 8 & 9

1. Learned Counsel for the petitioners is challenging unauthorized construction of an 8 ft. wall erected within the common passage of the premises situated at 44/P//17, Hemanta Mukherjee Road, Kolkata, at the instance of respondent no. 7. Learned Counsel for the petitioners submits that a representation dated 26.12.2024 was duly made before the Kolkata Municipal Corporation (KMC) seeking remedial action. However, till date, no response has been received nor any action initiated pursuant thereto.

2. Learned Counsel for the respondent Kolkata Municipal Corporation, Mr. Sandipan Banerjee states that they shall decide the representation of the

petitioner dated 26.12.2024 within a time bound manner preferably within a period of six weeks after the communication of this order. He further assures this Court that prior to arriving at any decision, an opportunity of hearing shall be accorded to the petitioners as well as all the relevant and interested parties including the private respondent.

3. In view of the submission made by the learned Counsel for the respondent, the petitioner does not wish to press the present writ petition at this stage.

4. The writ petition is disposed of in terms of the above direction.

5. There shall be no order as to costs.

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

(Gaurang Kanth, J.)