

25.02.2025
Sl. No.58(DL)
Ct. No.15
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 8375 of 2024

Nanda Kishore Majumdar

Versus

The State of West Bengal & Ors.

Ms. Shebatee Datta,
Ms. Poulami Roy

...for the Petitioner.

Mr. Ayan Banerjee,
Ms. Debasree Dhamali,
Ms. Riya Ghosh

...for the Bally Municipality.

The affidavit of service filed by the petitioner is taken on record.

The petitioner alleges that his neighbor (respondent No. 9), with the assistance of respondent No. 10, is constructing a building at premises No. 72/17A, Bhyattannagar, P.O. Bhattanagar, P.S. Liluah, District Howrah, Pin-711203, without leaving the mandatory side open space.

The petitioner has submitted a representation to the Bally Municipality dated February 23, 2024, which is annexed at page 28 of the writ petition.

The municipality is represented and has sought an adjournment.

However, I am not inclined to keep this writ petition pending. I hereby dispose of the writ petition

with a direction to the municipality to immediately appoint a competent officer to conduct a spot inspection and verify the veracity of the petitioner's allegations.

Based on the officer's report, the municipality shall take appropriate action in accordance with the law, providing an opportunity for hearing to both the petitioner and respondent nos.9 and 10.

This entire process shall be completed within two months from the date of communication of this order.

Accordingly, **WPA 8375 of 2024** is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties on compliance of usual undertakings.

(Kausik Chanda, J.)