

10.09.2025
Ct. No.3
Sl. No.11
akd

W. P. A. 8829 of 2025

[Prestige Fee Car Parking Co-operative Society Limited -Vs- The State of West Bengal & Ors.]

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. Rudranil Das
Mr. Soumava Santra

... ... for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka

... ... for the HMC

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent-Howrah Municipal Corporation in not considering his representation dated 26.03.2025 seeking allotment of alternative parking space, located at Sailen Manna Stadium, 5, M.G Road, Ward No. 29, P.O, P.S. & Dist. Howrah, in lieu of the parking space originally allotted to them opposite to the old Big Bazar near Tikia Para railway station, Howrah.
3. It is the case of the petitioner that he had emerged as the highest bidder for fee parking right for the space of lot no. 29, i.e. the parking space situated opposite the old Big Bazar, near Tikia Para railway station, for 100 numbers of six-wheelers car parking. Thereafter, by a letter dated 19.02.2025 issued by the respondent no. 4, the petitioner was directed to deposit the amount of Rs. 4,25,095/-. Consequently, an allotment letter dated 28.02.2025 was issued in favour of the petitioner. Pursuant thereto, the petitioner deposited a sum of Rs.4,25,095/- towards security deposit and took over the possession of the allotted parking lot. It is contended that upon

taking possession, the petitioner found the parking lot to be encroached upon by food vendors and further obstructed by the presence of a mosque and a club within the allotted land. In addition, several other hindrances exist, thereby rendering the petitioner unable to utilize the parking lot for the intended purpose. Under these circumstances, the petitioner submitted a representation dated 26.03.2025 before the Commissioner, Howrah Municipal Corporation requesting allotment of an alternate parking lot at Sailen Manna Stadium, 5, M.G Road, Ward No. 29, P.O, P.S. & Dist. Howrah. However, no decision has been taken by the respondent-Howrah Municipal Corporation on the said representation. Hence, the petitioner has approached this Court by way of the present writ petition.

4. Learned counsel for the respondent–Howrah Municipal Corporation submits that the authorities are ready and willing to consider and dispose of the representation of the petitioner dated 26.03.2025 seeking allotment of an alternate parking lot.

5. In light of the above submission, learned counsel for the petitioner submits that the petitioner would be satisfied if his representation dated 26.03.2025 is considered and decided by the Corporation in a time-bound manner.

6. Accordingly, this Court directs the Commissioner, Howrah Municipal Corporation (respondent no.3), to consider and decide the representation of the petitioner dated 26.03.2025 by passing a reasoned and speaking order, strictly in accordance with law, within a period of eight weeks from the date of communication of this order. Prior to the passing of such order, the said authority shall afford an opportunity of personal hearing to the petitioner.

7. With the aforesaid directions, the present writ petition is disposed of.
8. Interim orders, if any, shall stand vacated.
9. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.
10. There shall be no order as to costs.
11. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)