

20.01.2025
Sl. No. 1
AKG
Ct. 15

WPA 20047 of 2022
Shakeel Ahmed & Anr.

-vs-

The Howrah Municipal Corporation & Ors.

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Mr. Kaustav Bhattacharyya,
Ms. Priyanka Jana

...for the Petitioners

Ms. Sipra Mazumder,
Ms. Prativa Ghatak

...for the State

Mr. Sandipan Banerjee,
Mr. Ankit Sureka

...for HMC

The learned advocate representing the petitioners submits that they have obtained approval for a sanctioned plan for a G+2 storied building and have subsequently undertaken construction in accordance with the approved plan. Following this, the petitioners submitted an “As-made” plan to Howrah Municipal Corporation for approval. However, the Corporation has failed to consider the petitioners' prayer.

The learned advocate for the Howrah Municipal Corporation, on the other hand, contends that the petitioners have constructed two additional floors without the requisite sanctioned plan.

This Court is not inclined to engage with the underlying dispute at this juncture. Accordingly, the writ petition is disposed of with a direction to the

Howrah Municipal Corporation to consider the petitioners' request in strict adherence to the law, within one month from the date of this order. It is clarified that this Court has not adjudicated the merit of the petitioners' prayer. The Corporation shall, therefore, consider the petitioners' request in accordance with the law, after affording them an opportunity for a hearing.

Accordingly, **WPA 20047 of 2022** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)