

24.01.2025
Item No.116
RP
Ct. No.7

WPA 20775 of 2022

**Gautam Roy
Vs.
The Kolkata Municipal Corporation & Ors.**

Mr. Raghunath Chkraborty

Mrs. Amrita De

Ms. Mohana Das

.... For Petitioner

Mr. Alok Kumar Ghosh

Mr. S.K. Debnath

.... For KMC

1. The grievance of the petitioner is that the representation submitted by the petitioner praying for cancellation of the sanction plan being No. SL. No.002/Br.-XI/V/R3(2)/21-22 dated 03.12.2021 issued in favour of the private respondent herein has not yet been acted upon by the Kolkata Municipal Corporation.
2. Mr. Ghosh, learned advocate appearing for the Kolkata Municipal Corporation submits that immediately after submitting the representation dated 4th May, 2022 the petitioner has approached this Court and for such reason the competent authority of the Corporation could not take any decision as the matter is sub judice before this Court.

3. After hearing the learned advocates for the parties this Court is of the considered view that the appropriate authority of the Corporation should be directed to consider the representation dated 4th May, 2022 and to dispose of the same after giving an opportunity of hearing to the respective parties. In view thereof, this writ petition is disposed of by directing the respondent no.5/Director General (Building) Kolkata Municipal Corporation or any authority duly authorised by him to consider the representation of the petitioner dated 4th May, 2022, give opportunity of hearing to the petitioner, private respondent and any other parties, who may be affected by the decision of the Kolkata Municipal Corporation or their authorized representatives and to dispose of the same by passing a reasoned order as expeditiously as possible but positively within a period of six weeks from the date of receipt of the server copy of this order along with a copy of the representation dated 4th May, 2022. Needless to mention that the reasoned order shall be communicated to the parties immediately thereafter.
4. It is made clear that this Court has not gone into the merits of the claim made by the petitioner in the said representation. The parties will be at liberty to raise all points before the respondent authority at the time of hearing.

5. With the aforesaid direction, this writ petition is disposed of.
6. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties.

(HIRANMAY BHATTACHARYYA, J.)