

19.05.2025
Sl. No. 10
Ct No. 3
SG

WPA 21201 of 2024

**Usha Das
Vs
The State of West Bengal & Ors.**

Mr. P.P. Roy,
Mr. S. Chakraborty.
...for the petitioner

Mr. Ayan Banerjee,
Mr. Dhiman Banerjee.
...for municipality

Mr. Mrityunjay Goswami,
Mr. Gautam Basu.
...for state

1. The petitioner has preferred the present writ petition being aggrieved by the inaction on the part of the respondent authorities in failing to take steps against the private respondent for allegedly carrying out illegal and unauthorized construction at J.L. No. 221, R.S. Dag No. 5607, holding no. 7 B.M. Road, Ward No. 3, P.S. Srirampore, Mouza – Gourhati Champdani, Dist. Hooghly.

2. It is the case of the petitioner that she is the co-owner of the premises in question. However, without her knowledge and consent the private respondent started illegal and unauthorized construction on the premises without having any sanctioned building plan. She has filed several representations before the

respondent-municipality, however, no remedial action has been taken on the said representations.

3. Learned Counsel for the respondent-municipality states that the ongoing construction at the site is being carried out in terms of a valid sanctioned plan.

4. Learned Counsel for the petitioner submits that she has allegedly filed a representation before the municipality seeking cancellation of the said sanctioned plan, which according to her has been obtained illegally.

5. Learned Counsel for the respondent-municipality states that the authorities are ready and willing to consider petitioner's representation dated 08.07.2024.

6. Learned Counsel for the petitioner states that his client shall be satisfied if her representation is decided within a time bound manner.

7. In view of the statement made by the Counsel for the parties, this Court directs respondent authority to decide petitioner's representation dated 08.07.2024 within a period of eight weeks from the communication of this order after affording an opportunity of personal hearing to the petitioner as well as the private

respondent or any other interested parties by way of a speaking order.

8. With the above direction, the present writ petition is disposed of.

9. Report submitted by the State is kept on record.

10. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

11. There shall be no order as to costs.

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

(Gaurang Kanth, J.)