

09.01.2025
Item No.13
gd/ssd

WPA(P)/462/2024
SHANKAR SARDAR
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sabyasachi Chatterjee,
Mr. Kiron Bibhasaditya Chakrabarty
..for the Petitioners.

Mr. Jaharlal De,
Mr. Shamim-ul-Bari
..for the State.

Mr. Arijit Dey
..for KMC.

1. The petitioner alleges that the illegal construction has been made by filling up of a pond in Premises No.B/12/H/3, Kartick Mondal Lane, Post Office and Police Station-Tangra, Kolkata-700015.

2. Though such is the allegation the persons who have done by illegally not being impleaded as a respondent in the writ petition.

3. Therefore, we cannot issue any positive direction on the prayer sought for in the writ petition and suffice it to direct the 2nd respondent, namely, the Municipal Commissioner, Kolkata Municipal Corporation to nominate one of its officers, conduct an inspection to the property in question and if any illegality is found, action shall be taken against the persons who committed illegality by following the

principles of natural justice by issuing show cause notice and affording an opportunity of hearing.

6. This direction be complied with within a period of twelve weeks from the date of receipt of server copy of this order.

7. With the above observations, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)