

08.07.2025
Sl. No.21
Ct.3/ tkm

W.P.A. 27098 of 2024

Sandip Mukherjee
Vs
State of West Bengal & Ors.

Mr. Manabendra Thakur
Mr. Partha Sarathi Das
...for the petitioner

Mr. Ayan Banerjee,
Ms. Debasree Dhamali
...for Bally Municipality

Ms. Sipra Mazumdar,
Ms. Somashree Dey.
...for the State

Mr. Apurba Kr Ghosh
...for private respondent nos. 5, 9 & 10

1. The petitioner has preferred the present writ petition being aggrieved by the inaction of the respondent authority in not taking any steps for demolishing the unauthorized construction being carried out at premises no. 23/1, Jagat Banerjee Lane, PO +PS Bally, Howrah at the instance of private respondents.
2. Learned counsel for the petitioner submits that he had entered into a Memorandum of Understanding with the private respondents. A copy of the same has been filed along with the supplementary affidavit wherein both the parties had agreed to the construction to be carried out at the above mentioned premises.

3. It is the submission of the petitioner that the private respondents are carrying out the unauthorized construction in deviation of the valid building permit issued by the Bally municipality on 21.12.2023.
4. Learned counsel for the private respondents submits that they had carried out the construction in terms of valid building permit issued on 21.12.2023.
5. Learned counsel for the respondent municipality submits that they are ready and willing to decide petitioner's representation dated 13.9.2024.
6. Learned counsel for the petitioner submits that the petitioner shall be satisfied if the same is decided within a time bound manner.
7. In view of the statement made by the learned counsel for the parties this court directs the respondent municipality to decide petitioner's representation dated 13.9.2024, strictly in accordance with law within a period of eight weeks from the date of communication of this order, after affording an opportunity of personal hearing to the petitioner as well as private respondents by way of a speaking order.
8. With the above direction, the present writ petition is disposed of.

9. Since no affidavit is called for, allegations made in the writ petition are deemed to have been denied.

(Gaurang Kanth, J.)