

Court No. 2
(1490)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

01.04.2025
(JPD 2)
(S. Banerjee)

WPA 1 of 2025

Uday Nath
Vs.
Siliguri Municipal Corporation & Ors.

Mr. Abhishek Sarkar
... for the petitioner

Mr. Deborshi Dhar
... for the Siliguri Municipal Corporation

Mr. Vishal Basfore
... for the private respondent

Let the affidavit of service filed in court today
be kept with the record.

The Siliguri Municipal Corporation and the
private respondent are represented through their
learned advocates.

The petitioner alleges that the private
respondent has made an illegal construction. A
representation to that effect has been submitted by
the petitioner before the Commissioner of Siliguri
Municipal Corporation.

The grievance of the petitioner is that the
authority of the Siliguri Municipal Corporation have

not taken any step pursuant to the complaint lodged by the petitioner.

Mr. Dhar, learned advocate for the Corporation submits that in the complaint the petitioner has not specifically stated the nature of violation.

However, since a complaint of illegal construction has been made, it is the duty of the Corporation to consider such complaint and dispose of the same in accordance with law.

In view thereof, WPA 1 of 2025 is disposed of by directing the respondent no. 2, the Commissioner of Siliguri Municipal Corporation, to consider the representation of the petitioner dated November 18, 2023, which is annexed at page 15 of the writ petition, and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner and the private respondent. The entire exercise shall be completed as expeditiously possible but positively within a period of four weeks from the date of receipt of a server copy of this order along with the representation dated November 18, 2023.

In case the said authority finds that there is any violation, of any municipal rules, steps in accordance with law shall be taken.

(Hiranmay Bhattacharyya, J.)