

09.06.2025  
Sl. No.13  
Ct No. 3  
SG

**IN THE HIGH COURT AT CALCUTTA**  
**Circuit Bench at Jalpaiguri**

**W. P. A. 1122 of 2025**

**Sushil Mitruka**  
**Vs.**  
**Siliguri Municipal Corporation and Ors.**

Mr. Rahul Agarwal

... for the petitioner

Mr. Bijoy Bikram Das,

... for Siliguri Municipal  
Corporation

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent-Siliguri Municipal Corporation in failing to take appropriate steps against the alleged illegal and unauthorized construction being raised by the private respondent, operating under the name and style of “Arun Electrical Works”, by partially encroaching upon the petitioner’s privately owned land and partly upon the PWD reserved land without any sanctioned building plan.
3. It is the case of the petitioner that he is the absolute owner of 0.083 acre of land comprising in Khatian No. 2503, in C.S. Plot No. 2986 situated under Paragana Baikunthapur, Mouza Siliguri, J.L. No. 110(88), Touzi No. 3(Ja) within Ward No. IV of Siliguri

Municipal Corporation. It is the contention of the petitioner that the said property was purchased by the petitioner vide a registered deed of sale in the year 2002.

4. It is the grievance of the petitioner that since last 1 year, a semi-pucca structure with concrete base and concrete boundary walls, under the name and style of “Arun Electrical Works” has been illegally erected, partly encroaching upon the private land and partly upon the PWD reserved land, without any sanctioned building plan or lawful permission as mandated under the West Bengal Municipal Building Rules, 2007. Despite several complaints and representations, the respondent authorities failed to address the grievance of the petitioner.

5. Learned Counsel for the respondent nos. 1, 2 and 3 states that they are ready and willing to decide petitioner’s representation dated 29.04.2025.

6. In view of the above, learned Counsel for the petitioner states that his client shall be satisfied if the aforesaid representation is considered within a time bound manner.

7. In light of the submissions made by the respective parties, this Court directs the respondent no. 2 to decide petitioner’s representation dated 29.04.2025 within a period of six weeks from the date of communication of this order after affording an

opportunity of personal hearing to the petitioner as well as the private respondent by way of speaking order.

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

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

10. There shall be no order as to costs.

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

**(Gaurang Kanth, J.)**