

10.06.2025
Sl. No.07
Ct No. 3
SG

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

W. P. A. 1129 of 2025

Kiran Roy
Vs.
Siliguri Municipal Corporation and Ors.

Mr. Sanjay Mazoomdar,
Ms. Sukanya Adhikary.

... 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 inaction on the part of the respondent-Siliguri Municipal Corporation in failing to take appropriate steps against the illegal and unauthorized construction being carried out over the land comprised in LR Khatian No. 501, LR Plot No. 169, Mouza- Dabgram Sheet No. 63, JL No. 2, Dist.- Jalpaiguri.
3. The crux of the petitioner's grievance lies in the fact that such alleged illegal and unauthorized construction is being carried out without any sanctioned building plan.
4. It is the submission of the petitioner that despite various complaints made to the respondent authorities, they have failed to initiate any preventive or corrective measures.

5. Learned Counsel for the petitioner contends that a portion of the petitioner's land is being encroached upon by raising of the said unauthorized and illegal construction, which is being carried out in clear violation of statutory norms and without any valid sanctioned plan.

6. Learned Counsel for the respondent-Siliguri Municipal Corporation appears and states that the authorities are ready and willing to consider petitioner's representation dated 21.04.2025.

7. In view of the submissions made by the learned Counsel for the respondent-Siliguri Municipal Corporation, learned Counsel for the petitioner states that his client shall be satisfied if the aforesaid representation is decided within a time bound manner.

8. In light of the submissions made by the respective parties, this Court directs the respondent no. 2 to decide the petitioner's representation dated 21.04.2025 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 the private respondents by way of speaking order.

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

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.)