

13.01.2026
Ct. 3
Item No.
ML 83
sayandeep

WPA 1079 of 2025

**Naresh Kumar Kedia
Versus
The State of West Bengal & Ors.**

Mr. Arup Krishna Das
Mr. Indrajit Chatterjee

.... For the petitioner

1. The affidavit-of-service filed in Court today is taken on record.
2. Despite service, the municipal authorities are not represented.
3. The petitioner is aggrieved by issuance of the notice dated 6th January, 2025 by the Superintendent Engineer, Asansol Municipal Corporation. The learned advocate for the petitioner by drawing attention of this Court to the order dated 6th May, 2024 passed in WPA 990 of 2023 would submit that though the above writ petition did not deal with the property belonging to the petitioner being holding No. 40/40, however, the municipal authorities while acting in terms of the direction passed by the coordinate Bench vide order dated 6th May, 2024 in WPA 990 of 2023 has issued the above notice on the petitioner. According to him, the aforesaid notice cannot be sustained and should be set aside.

4. I Have considered the submissions made by the petitioner and I find that the coordinate Bench of this Court by the aforesaid order dated 6th May, 2024 by noting submissions made in such case and the materials on record, without entering into the allegation made in the representation as recorded therein had disposed of the writ petition by directing the Asansol Municipal Corporation to consider the same in accordance with law after giving reasonable opportunity of hearing to the necessary parties.
5. It appears that in terms of the above order, the municipal authorities have notified the petitioner. I do not find any illegality in the same. If the petitioner finds that they are not necessary parties, and have been wrongly notified, it is for the petitioner to make appropriate representation in that regard before the municipal authorities while responding to the aforesaid notice dated 6th January, 2025. The petitioner cannot be permitted to frustrate the order passed by the co-ordinate Bench of this Court dated 6th May, 2024 by challenging the notice dated 6th January, 2025.
6. In view thereof, there is no scope to allow the writ petition. However, the time for compliance of the notice dated 6th January, 2025 stands extended by a period of 2 weeks from date unless, the

proceedings have already been disposed of by the municipal authorities.

7. With the above observations and directions, the writ petition is disposed of.
8. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J.)