

01.04.2026

DL-50

Ct. No. 03

Srimanta

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 5201 of 2026

Aritra Banerjee

-Vs.-

The State of West Bengal & Ors.

Mr. Satyam Mukherjee,

Mr. Purnendu Shekhar Ghosh,

Mr. Saibal Rakshit

...for the petitioner.

Mr. Arindam Mitra

...for the State.

Mr. Rajendra Chaturvedi

...for the Rishra Municipality.

1. Affidavit-of-service filed in Court today be kept with the record.
2. The petitioner is aggrieved with a direction issued by the Executive Engineer, Rishra Municipality by his communication dated 9th February, 2026 whereby he has been directed to be personally present in relation to a hearing of illegal construction.
3. The petitioner had initially made a complaint with regard to the illegal construction on 6th January, 2026. Following the aforesaid, the petitioner was duly notified by the Municipal Authorities of a hearing in relation to such

complaint. Though, the petitioner claims that his representative/Advocate has been made to unnecessarily wait by the Chairman, however, the documents on record does not entirely substantiate the same.

4. Be that as it may, having heard the learned advocates for the parties and considering the fact that the Municipality has taken cognizance of the complaint and has taken steps I am of the view that it shall only be appropriate at this stage to direct the concerned Municipal Officer to dispose of the representation of the petitioner by hearing out the petitioner in accordance with law. While doing so he shall not unnecessarily insist on the personal presence of the petitioner unless, he had specific reasons for the same in which case appropriate reason should be recorded in writing by him why he insists for the personal presence of the petitioner.
5. It is expected that the proceeding shall be concluded by giving a fresh notice, as expeditiously as possible preferably, within a period of eight weeks from the date of communication of this order and by passing a reasoned order.

6. With the above observations and directions, the writ petition is disposed of.
7. There shall be no order as to costs.

(Raja Basu Chowdhury, J.)