

08. 23.02.2026.
Court No.03.
(Pritam)

WPA 9431 of 2024.

Ganesh Shaw.

-Vs.-

The State of West Bengal & Ors.

Mr. Debottam Das,
Mr. Prithu Ghosh.

.....for the petitioner.

Mr. Biswajit Das.

.....for the State.

Mr. Rudranil De,
Mr. Manoranjan Mahata.

.....for the municipality.

Mr. Susnigdho Bhattacharyya.

....for the private respondent.

Mr. Rudranil De,
Mr. Manoranjan Mahata.

.....for the respondent nos.2, 3 & 4.

1. Affidavit-of-service filed in Court today is taken on record.
2. Complaining illegal construction and failure on the part of the municipal authorities to act on the basis of the complaint made by the petitioner on 9th February, 2023, the present writ petition has been filed.
3. Mr. Das, the learned advocate representing the petitioner by drawing attention of this Court to the communication dated 21st February, 2024 would submit that although the municipality on the basis of

the complaint lodged by the petitioner had notified the petitioner that a hearing would take place on 2nd March, 2024 and though the petitioner had appeared before the municipality, the municipality is yet to notify the petitioner with regard to the outcome of the aforesaid proceeding.

4. The private respondents are represented.
5. Mr. De, learned advocate for the municipality would submit that an inspection has already taken place. He is, however, not clear whether the final order has been passed.
6. Having heard the learned advocates for the respective parties and considering the materials on record, I am of the view that no useful purpose would be served by keeping the writ petition pending.
7. Accordingly, I direct that if the representation made by the petitioner has already not been disposed of by passing a reasoned order and intimated to the petitioner, the municipality should proceed in the matter, if necessary, by carrying out an inspection.
8. In such case, the municipality must take a decision on the basis of the complaint, by giving an opportunity of hearing to the parties and by communicating the same, as expeditiously as possible, preferably within a period of 12 weeks from the date of communication of this order.

9. Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.
10. With the above observations and directions, the instant writ petition stands disposed of.

(Raja Basu Chowdhury, J.)