

Item No.37
13.01.2026
Court. No. 2
GB

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 21 of 2026

S.P. Construction Co.
VS
The Siliguri Municipal Corporation & Ors.

*Mr. Debanjan Das,
Mr. Samrat Acharya*

...for the Petitioner.

*Mr. Bijoy Bikram Das,
Mr. Deborshi Dhar*

...for the Respondents.

1. Affidavit-of-service filed in Court today, is taken on record.
2. The writ petition is disposed of, granting liberty to the petitioner to approach the Siliguri Municipal Corporation through the appropriate portal, seeking sanction of the revised plan. The petitioner contends that the revised plan was submitted in 2015, but the corporation did not take steps. Thus, further submission is not necessary.
3. The contention of the corporation is that, before the revised plan could be sanctioned, construction was raised. It is further contended that there is no scope for post facto approval of the revised plan. All issues are kept open and the authorities will decide the entire matter in accordance with law, in the event the petitioner files the application.

4. The petitioner submits that by taking advantage of the deeming provision, which was available at the relevant point of time, the construction was raised.
5. This Court is not entering into the merits of the issues involved. This order will also not prevent the appropriate authority from taking steps if any illegality has been committed by the petitioner. However, the authority shall follow the principles of natural justice before any decision is taken.
6. Accordingly, the writ petition is disposed of.
7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)