

17
30.10.2024

susanta/
ssi

Ct. 7

WPA 26183 of 2024

Zulfikkar Tarafdar

-vs-

The State of West Bengal & ors.

Mr. Sumitava Chakraborty
Ms. Madhurima Sarkar
Ms. Urmi Biswas

...for the petitioner

Mr. Subhayan Barik
Ms. Ananya Mondal

...for the respondent nos. 8,11,14

Mr. Vimal Kumar Shahi
Mrs. Pratiti Das
Mr. Bhakti Prasad Das
Mr. Saptarshi Guha

...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

The petitioner's grievance is with regard to the alleged unauthorized construction by the private respondents.

Learned counsel appearing for the private respondents obviously disputes such contention of the petitioner.

Learned counsel appearing for the State has submitted a letter of the Inspector-in-Charge of Baguiati Police Station dated 23.10.2024 addressed to the learned Government Pleader, High Court at

Calcutta which is taken on record.

It appears from the record that the petitioner's representation dated 17.09.2024 is yet to be considered and disposed of by the respondent-Bidhannagar Municipal Corporation.

Let this writ petition be disposed of with a direction upon the respondent no.3 to consider and dispose of the petitioner's representation dated 17.09.2024 and in doing so, the respondent no.3 shall afford an opportunity of hearing to the petitioner as well as the private respondents and allow them to show and rely upon the necessary documents to substantiate their respective cases.

Let the respondent no.3 complete the exercise as above within a period of four weeks from the date of communication of this order and pass its reasoned order.

Needless to say that in case the respondent no.3 finds any unauthorized construction to have taken place as alleged, it shall proceed in accordance with law in that event.

In disposing of the representation of the petitioner as above, the respondent no.3 shall be at liberty to cause an inspection of the concerned premise by himself or by any other authorized officer, if so found fit and proper.

The writ petitioner is thus disposed of.

All parties shall act on a server copy downloaded from the official website of this Court.

(Rai Chattopadhyay, J.)