
(2013) 01 CAL CK 0049
In the Calcutta High Court
Case No : Writ Petition No. 23675 (W) of 2012

Sk. Mohammad Ali

APPELLANT

Vs

Chairman, Burdwan Municipality and Others

RESPONDENT

Date of Decision : 16-01-2013

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2013) 01 CAL CK 0049

Hon'ble Judges : Jayanta Kumar Biswas, J

Bench : Single Bench

Advocate : Sougata Mitra, for the Appellant; Bijoy Kumar Ghosh, for the Respondent

Judgement

Jayanta Kumar Biswas, J.—Leave is granted to add the Municipality and the Board of Councillors of the Municipality as respondents. Advocate shall amend the case title at once. The petitioner in this WP under art. 226 of the Constitution of India is alleging inaction on the part of the Burdwan Municipality in that the Municipality has not taken necessary steps on the basis of his complaint that the private respondent was erecting unauthorised constructions.

2. None appears for the private respondent. It is submitted that notice was given.

3. Advocate for the Municipality submits that taking cognizance of the allegation made in the complaint the Municipality issued a stop work notice, and that necessary steps will be taken for concluding the proceedings. In view of the above-noted situation, I dispose of the WP ordering that after making necessary inquiry, recording proceedings and taking down evidence and giving the parties reasonable opportunity of presenting their respective cases and hearing, the Board of Councillors of the Municipality shall dispose of the s. 218 proceedings, within ten weeks from the date this order is served. No costs. Certified Xerox.