

20.12.2024
Item No.5
KS
Ct. No.7

W.P.A. 2134 of 2023
Partha Guha
Versus
The Secretary, M.E. Department & Ors.

Mr. Saptanshu Basu, Sr. Adv.
Mr. Debdatta Sen, Sr. Adv.
Ms. Suchismita Ghosh Chatterjee
Mrs. Ledia Dasgupta
.....For the petitioner

Mr. Jayanta Samanta
Mr. Kushal Biswas
.....For the State

Mr. Srijan Nayak
Mrs. Rituparna Maitra
.....For the Balurghat Municipality

Mr. Sayan Sinha
Mr. Adil Naser
.....For the Bongaon Municipality

In Re.: Balurghat Municipality

1. Mr. Basu, learned senior advocate appearing for the petitioner submits that pursuant to the order dated 10th December, 2024, the photocopy of the approved set of drawings have already been submitted before the Executive Engineer, Malda Division yesterday (19.12.2024).
2. The Executive Engineer, Malda Division is directed to verify the said document and if, according to the said authority, the petitioner is entitled to refund of the security deposit, the written recommendation in respect thereof be submitted before the Balurghat Municipality.

3. The Municipality is also directed to co-operate with the Executive Engineer, Malda Division, in this regard.

In Re.: Bongaon Municipality

4. Pursuant to the earlier order dated 10th December, 2024, the affidavit has been filed by the respondent no.4, which is taken on record. A copy of such affidavit has been served upon the learned advocate appearing for the petitioner in course of hearing of this writ petition.
5. Mr. Basu, learned senior advocate prays for an accommodation to go through the said affidavit and make submission on the next date fixed.
6. Petitioner will be at liberty to file reply to the said affidavit on or before the next date of hearing after serving an advance copy of the same to the learned advocate for the respondent no.4.
7. It has been submitted by the learned advocate appearing for the Bongaon Municipality that an application being, CAN 1 of 2024 has been filed praying for modification of the order dated 4th November, 2024.
8. List the application being, CAN 1 of 2024 on the next date alongwith the writ petition.

In Re.: Basirhat Municipality

9. Affidavit of service filed in Court, which is taken on record.
10. In spite of service, none appears for the Basirhat Municipality.

11. Learned advocate appearing for the State prays for extension of time to take instructions, as directed by the order dated 10th December, 2024.
12. In the event, the petitioner is entitled to the amount, as claimed by them in paragraph 8 of the writ petition, the necessary written recommendation in that regard shall be issued by the Executive Engineer, North 24 Parganas Division to the Basirhat Municipality within a week after reopening of this Court after the Christmas Vacation.
13. List this matter after two weeks after reopening of this Court after the Christmas Vacation.

(HIRANMAY BHATTACHARYYA, J.)