

23-12-2025
Item No.56
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

WPA No.2616 of 2025
Sens Hospitality Enterprises Private Limited
-vs-
The Siliguri Municipal Corporation & Ors.

Mr. Nabankur Paul
Ms. Sutapa Sen Paul
Mr. Bodhisatya Ghosh ...for the petitioner

Mr. Bijoy Bikram Das ...for the Corporation

1. The petitioner is aggrieved by the act of the Siliguri Municipal Corporation in imposing huge amount on account of revision of the building plan passing fee.
2. It has been submitted that the petitioner paid the amount claimed on protest. Prayer has been made for refund of the same.
3. Further prayer of the petitioner is to direct the Corporation to permit the petitioner to continue with the construction work for completion of the project in accordance with the revised building plan.
4. It appears that the Corporation approved alteration of the building plan on December 12, 2025, but the validity of the plan was only till January 5, 2025.
5. The petitioner submits that as the alteration of the building plan was approved on December 12, 2025, validity of the revised building permit could not have been up to January 5, 2025. The same ought to have been till a prospective date and not

a retrospective one.

6. Learned counsel representing the Corporation seeks time to revert with instructions. Let written instructions be obtained.
7. Relist on January 5, 2026.
8. In the meantime it will be open for the Corporation to intimate the petitioner as to whether construction may be done relying on the revised building plan.
9. Leave is granted to the advocate-on-record for the petitioner to implead UDMA and its officials as party respondents in the instant writ petition and serve a copy of the writ petition in the office of the Government Pleader of the circuit Bench at Jalpaiguri for obtaining necessary instructions.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

