

23.02.2026.
Item No.32
Court No.05
BR

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 2616 of 2025
With
IA No. CAN 1 of 2026

Sens Hospitality Enterprise Pvt. Ltd.
-vs-
The Siliguri Municipal Corporation and another

Mr. Nabankur Paul,
Ms. Sutapa Sen Paul,
Mr.B. Ghosh
... For the petitioner

Mr. Bijay Bikram Das,
Mr. Deborshi Dhar

...For the Siliguri Municipal Corporation

Mr. Momenur Rahman,
Mr. Bikash Singha
... for the State
Mr. B. Ghosh,
Mr. Mayank Bhandari,
Mr. Subrata Sankar
... for the intervener.

1. The writ application has been preferred praying for direction upon the respondents to quash the demand of full building plan passing fees and accept applicable revised plan fees as per Rules and refund the amount already deposited with interest after making necessary adjustments and further direction to extend the validity of the original building permit from the date of approval of the revised sanction building plan.
2. The petitioner has further prayed for an order declaring the impugned Memo No;

41/SMC/G/2022-23 dated 2.5.2022 as illegal, arbitrary, unconstitutional, and void the imposition of full building plan passing fees for revision of building sanction plan thereof is illegal and against the provisions of law prescribed under the West Bengal Municipal Corporation Act, 2006 and West Bengal Municipal (Finance & Accounting) Rules, 1999. As per leave granted the intervener, namely Manik Chandra vide order dated 16.2.2026 has preferred an application being CAN 1 of 2026.

3. Copy be served upon the learned counsel appearing for the petitioner and upon the respondents.
4. Learned counsel appearing for the petitioner intends to use an opposition against the said application and accordingly affidavit-in-opposition be filed by 6th March, 2026. Reply, thereto, if any, be filed by 13th March thereafter and the writ application be placed before the respective Circuit Bench after completion of affidavits as directed.

(Shampa Dutt (Paul), J.)