

October 5, 2026
(46) ARDR

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

WPA 2343 of 2026

Sri Ishwar Chandra Mittal
Vs.
The Siliguri Municipal Corporation & ors.

Adv. Amit Saha
Adv. Poonam Kaur,
Adv. Samrat Acharya,

... for the petitioner.

Adv. Bijay Bikram Das
Adv, Dborshi Dhar,

...for the SMC.

Adv. Subhankar Dutta,
Adv. Manisha Dutta,

...for the State.

The private respondents are not represented despite service.

The petitioner's mother, since deceased, was the registered owner of the plots in question by virtue of registered deeds executed in 1964 and 1972. The said owner constructed a G + two storied building in the said land in terms of the sanctioned building plan issued by the then Siliguri Municipal Corporation. By virtue of an agreement executed by and between the petitioner and his brothers, being the private respondents herein, portions of each of the parties were identified for smooth and uninterrupted occupation of the same. The mother of the petitioner also executed a Will on 10th June, 2010 in respect of the remaining portion of the building and her other movable and immovable properties. A

complaint was lodged by the private respondents against the petitioner alleging deviation from the sanctioned building plan in effecting repair work to the existing structure pursuant to which the concerned officials directed the petitioner to produce the building plan. Since the building plan is in custody of the 5th respondent, the petitioner was unable to produce the same and filed an application under the Right to Information Act, 2005 seeking information with regard to the said building plan and requesting supply of a copy of the same. The application was not responded to for which the petitioner preferred an appeal before the Siliguri Municipal Corporation on 14th July, 2026 which is also pending. The petitioner seeks disposal of the application and the appeal and necessary steps in terms thereof.

Learned counsel for the Siliguri Municipal Corporation seeks eight weeks time to dispose of the application and the appeal.

In view of the above, the writ petition is disposed of directing the Commissioner, Siliguri Municipal Corporation/the 1st Appellate Authority, being the 4th respondent herein, to dispose of the appeal within eight weeks from the date of communication of this order and take necessary consequential steps accordingly.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J)