

S/L 5
25.9.2020
Court No.13
SD

W.P.A. 6948 of 2020
CAN 1 of 2020
(Via Video Conference)

Sri Partha Pratim Ghosh & Ors.
Vs.
State of West Bengal & Ors.

Mr. Subrata Mukhopadhyay
Mr. Bandhu Brata Bhula
Mrs. Mandira Bhowmick

...for the Petitioners.

Mr. Pinaki Dhole
Mr. Jahir Hossain

...for the State.

Mr. Dibyendu Chatterjee
Mr. Pritam Majumder
Ms. Piyali Paul

...for the Bhatpara Municipality.

Petitioners had approached this Court earlier by way of W.P. 5587(W) of 2020 which was disposed of by order dated June 24, 2020 directing the Bhatpara Municipality to enquire into the petitioners' representation that the private respondent nos.8 to 12 were effecting unauthorized construction on the property in question. The petitioners complain that the municipality has not complied with the said order till date.

Counsel appearing on behalf of the Bhatpara Municipality produces a report before this Court and submits that the enquiry as directed by this Court, had been completed and the construction has been found

unauthorized and a 'stop work' notice has been issued under Section 220(1) of the West Bengal Municipal Act of 1993.

Counsel for the Bhatpara Municipality further submits that steps are being taken to commence the process of demolition in respect of the unauthorized construction and requires eight weeks time to do so.

In the above circumstances and considering the submissions made on behalf of the Bhatpara Municipality, let the proceedings for demolition be completed peremptorily strictly in accordance with the West Bengal Municipal Act, 1993 within a period of eight weeks mandatorily.

The Officer-in-Charge, Bhatpara Police Station being respondent no.6 shall render all assistance to the municipal authorities in compliance of the aforesaid order.

Copy of the order dated August 25, 2020 passed by the Bhatpara Municipality along with annexures submitted by the Counsel for the Bhatpara Municipality be kept on record.

With these observations, W.P.A. 6948 of 2020 and connected application are disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Rajasekhar Mantha, J.)