

02
11.01.2021.
d.p.

**W.P.A 13558 of 2019
(Via Video Conference)**

**Ratan Prosad Konar
-versus
State of West Bengal & Ors.**

**Mr. Tarapada Das.
...For the Petitioner.**

**Mr. Subhasis Bandyopadhyay
...For the Municipality.**

None appears on behalf of the private respondent in spite of service.

Affidavit-of-service filed in Court today be taken on record.

Challenging the illegal construction being made by the private respondent, the petitioner filed an earlier writ petition being W.P. No.28279 (W) of 2014. The said writ petition was disposed of on 29th November, 2017 whereby the Court directed the municipal authorities to carry out an inspection after giving hearing to all the parties and to pass a reasoned order.

In compliance of the order of the Court, the Administrator of the municipality passed an order on 5th November, 2018. The Administrator was of the opinion that the club authorities failed to produce any copy of permission for construction. It implies that the Administrator has admitted the fact of unauthorized construction being made by the private respondent herein.

As the municipality has already formed an opinion that the construction was illegal and unauthorized, being made without permission for construction, accordingly, the instant writ petition is disposed of by directing the municipal authorities to take necessary consequential steps in respect of the unauthorized construction in accordance with law.

The municipality shall take steps within a period of four months from the date of communication of a copy of this order.

W.P.A. 13558 of 2019 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)