

03.03.2021
SL No.15
Court No.24
(P.M.)

WPA 269 of 2021

**Raju Kumar
Vs.
The State of West Bengal & Ors.**

Mr. Sanjib Seth
... for the petitioner

Mr. Sandipan Banerjee,
Mr. Ankit Sureka
... for Howrah Municipal Corporation.

Sk. Md. Anwarllah
.... For the private respondents

Md. Ghalib Ahmed,
Md. Mansoor Alam
... for the State

The petitioner alleges unauthorised construction in the Holding No. 64, Deshpran Sasmal Road, P.O. Kadamtala, P.S. Bantra under the Howrah Municipal Corporation.

The specific contention of the petitioner is that the land in question is recorded as “garage” in the record of rights. The persons responsible for making construction have made the construction without converting the land to “bastu”.

The petitioner raised objection before the Howrah Municipal Corporation and alleges that the same has not been considered by the authority till date.

The learned advocate representing the Howrah Municipal Corporation submits that an inspection was conducted at the site and it has been revealed that, on date,

construction is being made in accordance with the plan that has been sanctioned by the Howrah Municipal Corporation.

The submission of the petitioner is that the construction is being made without conversion of the land from 'garage' to 'bastu' cannot be accepted by the Court. Construction can always be permitted in respect of the said land in question.

The Howrah Municipal Corporation has sanctioned a plan for construction on the said land and the private respondents are making construction on the basis of the plan sanctioned. The allegation of unauthorized construction is not substantiated.

Accordingly no relief can be granted to the petitioner in the instant case.

WPA 269 of 2021 stands dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)