

**25-05-2021**

ct no. 13

Sl.9

akd/pk

**WPA 10241 of 2021  
(Through Video Conference)**

**Binoy Majumder  
Versus  
State of West Bengal and others**

**Mr. Sumit Roy**

**...for the petitioner**

**Mr. Uday Sankar Chatterjee**

**... for the Society.**

**Mr. S. Chatterjee**

**... for the Asansol Durgapur  
Development Authority.**

The petitioner claims to be a member of the Durgapur Ex-Servicemen's Co-operative Housing Society Limited. His grievance is that the Co-operative Society is effecting construction without any sanction from either the Durgapur Municipal Corporation or the Asansol Durgapur Development Authority. There is a letter dated 6<sup>th</sup> March, 2021 issued by the Durgapur Municipal Corporation holding that the construction by the respondent-Society is illegal and stop work notice has been issued.

Counsel for the Asansol Durgapur Development Authority has also submitted that the proceedings have been initiated and the Society as well and the parties have been called for hearing.

Counsel for the Society has been heard.

This Court is of the view that since proceedings have already been initiated by the Asansol Durgapur Development Authority, the same may be concluded in accordance with law.

In view of the order of stop work dated 6<sup>th</sup> March, 2021 issued by the Durgapur Municipal Corporation, the Society shall not effect any construction whatsoever in the said premises without formal approval by the Durgapur Municipal Corporation and the Asansol Durgapur Development Authority.

The aforesaid order shall not prevent the Durgapur Municipal Corporation from proceeding against the Society or any person for violation of any statute and in accordance thereof.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties are directed to act on a server copy of this order.

**(Rajasekhar Mantha, J.)**