

04.05.2022
Sl. No.14
ss

W.P.A. 1574 of 2022

**Chandrawati Devi
Vs.
The State of West Bengal & ors.**

Mr. Soumyajit Bhatta
Mr. Zahid Ali Khan
... for the petitioner

Mr. Jahar Lal De
Mr. Shamim ul Bari
... for the State

Mr. Pritam Majumdar
Mr. Dibyendu Chatterjee
... for the Bhatpara Municipality

None appears on behalf of the respondent no.6,
despite service of the writ petition as also a notice.

The learned Advocate for the Municipality submits
that steps have already been taken for demolition of the
unauthorised portion.

It is submitted by the municipality that this is the
third instance when the respondent no.6 has made
unauthorised construction. On the previous two occasions,
the unauthorised constructions were detected and
demolished in accordance with law.

The learned Advocate for the Municipality undertakes
before this Court that the entire issue shall be resolved and
order of demolition shall be carried out in accordance with
law within a period of one month from the date of

communication of this order. A notice under Section 220 of the West Bengal Municipal Act, 1993 has also been issued.

The records reveal that the respondent no.6 has continuously indulged in unauthorised construction and the Municipality has also taken steps on earlier occasions to demolish such unauthorised construction.

It is now submitted that the existing unauthorised construction, which was held to be illegal had led to a demolition order, has not yet been demolished.

This writ petition is disposed of with direction to the Municipality to act and proceed in accordance with law upon notifying the respondent no.6 and to implement the order of demolition within a period of one month from date of service of notice upon the respondent no.6.

If police assistance is required, the Municipal authorities shall be at liberty to approach the local police station, for such assistance.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)