

S/L 13
08.03.2022
Court. No. 19
GB

W.P.A. 5839 of 2021

Samar Sadhukhan
VS
The State of West Bengal & Ors.

Mr. Timir Baran Saha.

...for the Petitioner.

*Mr. Asish Kumar Guha,
Mr. Naren Ghosh Dastidar.*

...for the State.

*Mr. Debraj Bhattacharya,
Mr. Saikat Ghosh.*

...for the Respondent Nos.6 to 8.

Mr. Suman Basu.

...for the Corporation.

Affidavit-of-service filed in Court today be kept with the record.

The petitioner seeks implementation of an order of demolition passed by the Commissioner, Chandernagore Municipal Corporation dated November 5/10, 2014. Pursuant to the said order, the persons responsible for such construction failed to take steps and another communication was issued by the Secretary, Chandernagore Municipal Corporation on January 10, 2020.

The persons responsible for such construction, namely, late Sailen Sadhukhan was bachelor and his heirs and legal representatives, that is, his brother and brother's son are already on record, who are represented by Mr. Bhattacharya in this writ petition.

As the Corporation has already decided to demolish the structure, nothing further remains to be decided in the

writ petition. Admittedly, the order of demolition has not been set aside or modified by any superior Court.

Under such circumstances, the Corporation shall act and proceed in accordance with law by demolishing the unauthorized portion as per the order, upon giving one last notice to all the parties.

The entire exercise shall be completed within a period of three months from date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)