

Item No. 66

25.07.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 6620 of 2022
Tapan Chakraborty
v.
Bhatpara Municipality & Ors.

Mr. Pradyot Kumar Nandi
Ms. Anjana Sen Gupta
... for the petitioner.

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

The matter relates to unauthorized construction at the instance of the private respondent no. 7.

The petitioner alleges that the person responsible is making unauthorized construction over the holding no. 7/1, Binapani Pathagar Path, Post Office-Athpur, District North 24 Parganas, Ward no. 20 under the jurisdiction of Bhatpara Municipality.

It is the specific contention of the petitioner that the construction was being made by illegally filling up a water body. Repeated representations filed by the petitioner have remained unanswered by the Municipality.

Learned advocate representing the Bhatpara Municipality submits that notice under Section 220(1) of the West Bengal Municipal Act, 1993 has already been

issued and necessary steps in accordance with Section 218 of the Act will be taken by the Board of Councillors of the Municipality.

As it appears from the submissions made on behalf of the parties that steps have already been initiated by the Bhatpara Municipality to deal with such unauthorized construction, accordingly, the instant writ petition is disposed of by directing the Bhatpara Municipality to conclude the proceeding to deal with such unauthorized construction strictly in accordance with law, at the earliest, but positively within a period of twelve weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the parties immediately thereafter.

The Officer-in-Charge, Jagaddal Police Station is directed to keep a strict vigil over the property in question to ensure that no construction is being made over the said plot of land till a decision is taken by the Bhatpara Municipality in this regard.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)