

04
12.12.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 9799 of 2022

**Sri Bikash Dutta
-versus
The State of West Bengal & Ors.**

**Mr. Amitabha Ghosh.
...For the Petitioner.**

**Mr. Pritam Majumdar.
...For the Municipality.**

**Mr. Sudipto Panda,
Ms. Mun Mun Tewary.
...For the State.**

**Mr. Ranajit Chatterjee,
Mr. Victor Chatterjee,
Mr. Aniruddha Mitra.
...For the Respondent
Nos. 8 and 9.**

An inspection report has been produced by the learned advocate appearing for the Bhatpara Municipality in Court today.

It appears therefrom that the subject premises was inspected in presence of the parties. At the time of inspection, the petitioner failed to produce any document in support of the construction made.

The mutation certificate and the title deed of the subject premises were duly produced. It was found that the building comprises of R.C.C. column, roof and brick wall pucca in nature.

The building is a single storied one, newly constructed without obtaining any sanction building plan.

The engineers of the Municipality were of the opinion that the building was constructed during the Covid pandemic without maintaining the mandatory side open spaces. The building is in an unfinished condition with no plastering and colouring.

The engineers of the Municipality opined that the same is totally an illegal building.

A copy of the report be circulated amongst the learned advocates appearing for the parties.

It will be open for the parties to make appropriate submission/exception before the Municipality.

The Municipality is directed to take steps strictly in accordance with law to deal with any unauthorized construction that has been detected after giving a reasonable opportunity of hearing to all the necessary parties.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)