

Sl. No.71
26.07.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 10318 of 2022

Smt. Dola Sarkar
versus
Konnagar Municipality & Ors.

Mr. Krishna Das Poddar

... for the Petitioner.

Mr. Triptimoy Talukder

Mr. Shambha Chakraborty

Mr. Abhiraj Tarafdar

Mr. Diptimoy Talukder

... for the respondent no.1

On the allegation raised by the petitioner against the private respondent alleging illegal and unauthorized construction, the Konnagar Municipality issued a stop work notice. As construction continued despite the stop work notice being issued the petitioner served a further notice upon the Municipality to take steps against such unauthorized construction.

None appears on behalf of the person responsible for making construction.

Learned advocate for the Municipality submits that steps were being taken by the Municipality for demolition of the unauthorized construction.

As it appears that the Municipality has already taken steps for demolition of the unauthorized construction, accordingly, the instant writ petition is

disposed of by directing the Board of Councillors of Konnagar Municipality to conclude the demolition proceeding strictly in accordance with law, after giving reasonable opportunity of hearing to the petitioner and all other necessary parties and pass a reasoned order at the earliest, but positively within a period of eight weeks from the date of communication of this order.

The reasoned order shall be communicated to the parties immediately thereafter.

The Municipality shall take necessary consequential steps pursuant to the reasoned order passed by the Board of Councillors.

The petitioner is directed to forward a copy of the stop work notice and the representation dated 16th April, 2022 to the aforesaid respondents at the time of communicating the order of the Court.

The writ petition stands disposed of.

Affidavit of service filed by the petitioner is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)