

Sl. No.41
15.11.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 12639 of 2022

Smt. Champa Routh

v.

The State of West Bengal & Ors.

Mr. Sariful Islam Mallick

... for the petitioner.

Mr. Priyabrata Batabyal

Ms. Suchana Banerjee

... for the respondent nos.7 & 8

Mrs. Chaitali Bhattacharyya

Mr. Mrinal Kanti Biswas

... for the State

Mr. Subhasis Bandopadhyay

... for the Municipality

The petitioner alleges that the private respondents have made construction without obtaining any sanctioned plan and without conversion of the classification of the land.

The allegation of the petitioner is denied by the learned advocate representing the private respondent. The document showing conversion of the land from 'Danga' to 'Bastu' way back in the year 2012 has been produced before this Court.

It has been submitted by the learned advocate representing the Municipality that plan has been sanctioned in favour of the private respondent.

It has further been submitted by the Municipality that the petitioner is guilty of making construction

without proper sanctioned plan and order of demolition has already been passed against the petitioner.

It appears from the submissions made on behalf of the parties that the allegation of the petitioner remains unsubstantiated. The disputed construction has been made relying on the plan sanctioned by the Municipality on the land classified as 'Bastu'.

In view of the above no relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

Document showing conversion of the classification of the land is retained with the records.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)