

Sl. No.10
31.10.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 15833 of 2022

Debasis Sana
v.
The State of West Bengal & Ors.

Ms. Joyita Ray

... for the petitioner.

Mr. Tapas Kumar Ghosh

Mr. Tanmoy Chowdhury

... for the respondent nos.3

The petitioner complains that the private respondent was making construction on the common boundary wall without leaving the mandatory side open spaces.

In response to the complaint lodged by the petitioner, the Hooghly Chinsurah Municipality by an order dated 20th May, 2022 directed the unauthorised construction to be demolished by the conservancy labours of the Municipality on 26th May, 2022.

The petitioner submits that on the day of demolition only the GCI sheet has been removed but the unauthorised construction remains.

Further representation was made by the petitioner before the Chairman of the Municipality on 30th May, 2022. The same is yet to be considered.

Learned advocate representing the Municipality submits that steps shall be taken for removing the entire unauthorised construction.

The private respondent is not represented. Affidavit of service filed in Court is taken on record.

As it appears that the Hooghly Chinsurah Municipality has already taken steps for removal of the unauthorised construction, accordingly, the present writ petition is disposed of by directing the Municipality to ascertain as to whether the entire unauthorised construction has been demolished or not. The Municipality shall cause further inspection upon giving prior notice to all the necessary parties and thereafter take steps for removal of the unauthorised construction, if any, in accordance with law.

Steps shall be taken in the matter at the earliest, but positively within a period of eight weeks from the date of communication of this order.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)