

Sl. No.15
23.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 20334 of 2022

Debasish Adhikari
vs.
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee
... for the petitioner

Mr. Sandipan Banerjee
Mr. Sobhan Majumder
Mr. Ankit Sureka

... for the Howrah Municipal Corporation

The petitioner is aggrieved by the communication dated 13th July, 2022 intimating the petitioner that the illegal construction shall be self demolished by the petitioner within 30 days failing which the Corporation will demolish the same and recover the costs from the person responsible.

According to the petitioner prior notice for the demolition proceeding was not issued. The demolition proceeding was conducted behind the back of the petitioner.

Learned advocate representing the Howrah Municipal Corporation submits that the entire structure is an unauthorised one and the same has constructed without obtaining any plan sanctioned from the Howrah Municipal Corporation.

Learned advocate for the petitioner admits that the construction has been made without obtaining any sanctioned plan.

The petitioner prays for a direction upon the Howrah Municipal Corporation to hand over a copy of the order passed in the demolition proceeding.

The Howrah Municipal Corporation is directed to communicate the details of the demolition proceeding along with the order passed in the demolition case to the petitioner within a week from the date of communication of this order.

The Officer-in-Charge, Shibpur Police Station is directed to keep strict vigil over the premises in question to ensure that no construction is carried in the said premises.

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.)