

ML 108
13.02.2023
d.p.

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

W.P.A 1743 of 2022

**Smt. Shyamali Barik
-versus
Ghatal Municipality & Ors.**

**Mr. Koushik Roy,
Mr. Tanmoy Mukherjee.
...For the Petitioner.**

**Mr. Manabendra Thakur,
Mr. Swarup Kumar Ghosh.
...For the Respondent
Nos. 1 to 3.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the respondent No. 6 in spite of service.

The petitioner seeks implementation of the order passed by the Board of Administrators, Ghatal Municipality on 23rd November, 2021 and communicated to the parties by communication dated 15th December, 2021.

It appears from the order that the private respondent was directed to self-demolish the unauthorized construction within fifteen days from the date of receipt of the order. The time period within

which the self-demolition was to be made expired long ago.

Learned advocates appearing for the parties submit that, to their knowledge, no appeal has been preferred against the order of demolition.

It appears from the submissions made on behalf of the parties that the order of demolition has attained finality by now and the same is required to be implemented by the Municipality at once.

In view of the above, the present writ petition is disposed of by directing the Ghatal Municipality to take steps in accordance with law for implementation of the order of demolition passed in respect of the unauthorized construction made at the instance of the private respondent.

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

The Officer-in-Charge, Ghatal Police Station is directed to render all necessary assistance to the men and agents of the Ghatal Municipality at the time of demolition of the unauthorized construction, if sought for.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)