

ML 128
24.04.2023
d.p.

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

W.P.A 2357 of 2022

**Smt. Minoti Modak
-versus
The State of West Bengal & Ors.**

**Mr. Arun Shaw.
...For the Petitioner.**

**Mr. Subhashis Bandopadhyay.
...For the Municipality.**

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

None appears on behalf of the private respondents in spite of service.

Petitioner prays for implementation of the order passed by the Burdwan Municipality on 5th December, 2018 directing demolition of the unauthorized construction.

Learned advocate appearing for the Municipality is not aware as to whether any appeal was preferred against such order or not.

It is the bounden duty of the Municipality to implement its own order.

In view of the above, the instant writ petition is disposed of by directing the Municipality to implement

the direction passed in the order dated 5th December, 2018 in accordance with law, at the earliest, but positively within a period of four months from the date of communication of this order provided the said order is not set aside/varied/modified by any court of competent jurisdiction.

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.)