

Item No.18

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

05.04.2023
Ct-24

WPA 2586 of 2023
Dinesh Agarwal

v.

The State of West Bengal & Ors.

Mr. Sounak Bhattacharyya
Mr. Sounak Mondal
... for the petitioner.

Mr. S.K. Das
Mr. Suvodip Bhattacharjee
... for the respondent nos. 8 & 9.

Ms. Sutapa Sanyal
Mr. Anand Farmania
... for the State.

Mr. Sirsanya Bandopadhyay
Mr. Tirthankar Dey
Mr. Arka Kumar Nag
Mr. Souvik Naiya
... for BMC.

The petitioner prays for implementation of the order dated May 31, 2022 passed by the Commissioner, Bidhannagar Municipal Corporation directing demolition of the unauthorized construction at HA-75, Sector-III, Salt Lake City, Kolkata-700097 under the jurisdiction of the Bidhannagar Municipal Corporation.

The lessee of the plot was directed to demolish/dismantle the unauthorized structures erected beyond the sanctioned plan within three months and to stop all commercial activities immediately.

The petitioner submits that three months have already elapsed but the order has not been implemented till date.

Learned advocate representing the Bidhannagar Municipal Corporation submits that a request has been made before the Deputy Commissioner of Police (HQ), Bidhannagar Police Commissionerate with request for deployment of police force for effecting demolition at the subject premises. As the unauthorized structures are occupied, accordingly without the assistance of the police, it will not be possible for the Corporation to implement the order of demolition.

The Corporation is directed to follow up the matter with the Deputy Commissioner of Police, so that the unauthorized constructions can be demolished at the earliest.

Communication dated April 4, 2023 made by the Executive Engineer (HQ) and Nodal Officer, Bidhannagar Municipal Corporation to the Deputy Commissioner of Police (HQ), Bidhannagar Police Commissionerate be retained with the records.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)