

33 01.05
Ct 2023
No24
AGM

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

WPA 6954 of 2022

**Pradip Mistry & Anr.
Vs
The State of West Bengal & Ors.**

**Mr. Ujjwal Trivedi
Mr. Sujal Dey ... for the petitioners.**

**Mr. Sirsanya Bandopadhyay
Mr. Tirthankar Dey
Mr. Arka Kumar Nag
Mr. Souvik Naiya
... For the BMC.**

**Mr. Jyoti Prakash Chatterjee
... For the Private Respondent No. 8.**

**Mr. Susanta Pal
Mr. Prabir Kumar Ray
... For the State.**

The petitioners complain of illegal and unauthorised construction at J/B-2, Vivekananda Sarani, Kolkata 700 159 under jurisdiction of the Bidhannagar Municipal Corporation.

According to the petitioners, construction is being made without a proper building plan.

The petitioners claim that objection filed against such unauthorised construction has not been taken up for consideration till date.

On a perusal of the representations alleging unauthorised construction, it appears that the petitioners are not the signatories to such objection.

It appears that the petitioners never raised any

objection before the authority challenging the construction at the instance of the private respondent.

In view of the above, no relief can be granted to the petitioners in the instant writ petition.

It will be open for the petitioners to raise appropriate objection highlighting the illegalities, if any, in the construction made.

The writ petition stands dismissed.

Affidavit of service filed today be kept with the records.

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

(Amrita Sinha, J.)