

ML 38
02.05.2023
Court. No. 19
GB

WPA 9425 of 2023

Monirul Khan & Anr.
Vs
The State of West Bengal & Ors.

Mr. Soumen Bhattacharjee

...for the Petitioners.

*Mr. Rajarshi Basu,
Mr. K.M. Hossain*

...for the State.

Ms. Mekhla Sinha

...for the Howrah Zilla Parishad.

*Mr. Aniruddha Chatterjee,
Mr. Tauhid Khan,
Mr. Iftekar Munshi*

...for the Respondent Nos.9 to 14.

Upon perusal of the documents produced by the respondent nos.9 to 14, the Court is satisfied that permission had been granted by the Domjur Panchayat Samiti to the said respondents to construct on Plot Nos.2451, 2479, 2494 and 2495 of Mouza-Keshabpur. The conversion certificate in respect of the said plots have also been produced by the respondents.

Thus, the allegation of the petitioners that construction on all the plots mentioned hereinabove was without any sanction, is not substantiated. However, the only issue to be now determined is whether any construction exists on Plot No.2496, which is classified as a 'Pukur'.

The petitioner is at liberty to approach the appropriate permission granting authority seeking information as to whether any construction had been permitted on Plot No.2496 to any person or not. Upon the reply that shall be

given by the authority, the petitioner will be at liberty to take appropriate steps.

The subsequent contention of the petitioner, from the bar, that the plan was procured after the construction has been made, is outside the scope of the writ petition and the petitioner is at liberty to approach the appropriate forum for appropriate remedy.

Accordingly the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)