

Ct. 24
Item No.54
15.06.2023
(Suvendu)

WPA 9582 OF 2022

Ronit Singh
Vs.
The State of West Bengal & Ors.

Mr. Sanjib Seth

...for the petitioner

Mr. Sandipan Banerjee
Mr. Anikit Sureka
Mr. Sobham Majumder

.....for the HMC

Mr. Jahar Datta
Mr. Jaladhi Das

.....for the State

The affidavit of service filed in Court today is taken on record.

The petitioner is aggrieved by the order of demolition dated 10th May, 2022 issued by the Howrah Municipal Corporation.

According to the petitioner, the nature and extent of unauthorized construction has not been mentioned in the impugned order of demolition and accordingly the petitioner is not in a position to demolish the same.

On a perusal of the order of demolition, it appears that sanction was granted to the petitioner for construction of a G + 1 storied building. The

petitioner constructed second and third floors in the subject structure without any sanction at all.

From the impugned order of demolition it is very clear that the second and third floors of the subject construction being unauthorized are liable to be demolished by the person responsible.

There is no ambiguity in the impugned order of demolition. The impugned order does not call for any interference.

The writ petition fails and is hereby dismissed. The petitioner will be liable to act in accordance with the order of demolition. The Corporation shall take necessary steps to implement the order of demolition in accordance with law.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Amrita Sinha, J.)