

13.09.2023
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AN/Ct. No. 24

WPA 11950 of 2023

**Subrata Samanta
versus
The State of West Bengal & Ors.**

Mr. Nilanjan Bhattacharjee
Mr. Abhilash Chatterjee
Mr. Saikat Dey

... for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka
Mr. Sobhon Majumder

... for the H.M.C.

Ms. Sipra Majumder
Ms. Sangeeta Roy

... for the State

The petitioner complains of illegal and unauthorized construction over a water body without obtaining permission for conversion and without obtaining sanctioned plan from the Howrah Municipal Corporation.

It is submitted that after the complaint was lodged before the Corporation, hearing was conducted on 18.04.2023. The fate of the hearing has not been made known to the parties till date. It has been submitted that the construction is going on in full swing.

Learned counsel representing the Howrah Municipal Corporation submits that steps have been taken in response to the complaint lodged by the petitioner.

The police have also taken steps in the matter and registered a case. Charge sheet has been filed.

The instant writ petition is, accordingly, **disposed of** by directing the Howrah Municipal Corporation to take steps pursuant to the complaint lodged against such unauthorized construction and dispose of the same in accordance with law at the earliest but positively within a period of twelve weeks from the date of communication of this order. Fresh spot inspection, if required, may be conducted by giving prior notice to all the necessary parties.

The Officer in Charge, Dasnagar Police Station is directed to keep strict vigil over the property to ensure that no further construction, in any manner whatsoever, is made over the water body.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Amrita Sinha, J.)