

245
20.09.2023
A.G.M.

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

W.P.A 17259 of 2023

**Earshad Sultan
-versus
The Howrah Municipal Corporation & Ors.**

**Mr. Ramij Munsif
Ms. Champa Pal
...For the Petitioner.**

**Mr. Sandipan Banerjee
Mr. Santanu Chatterjee
Mr. Sobhan Majumdar
... for the H.M.C.**

Affidavit-of-service filed in Court today be kept with the record.

The petitioner complains of illegal and unauthorised construction at the behest of the private respondent at holding nos. 96 and 97/1, Molla Para Lane, P. S. Shibpur, under Ward No. 40, Howrah Municipal Corporation.

The writ petition was filed with the allegation that the objection filed against such unauthorised construction remained unanswered.

At the time of consideration of the writ petition, learned advocate for the petitioner submits that the Howrah Municipal Corporation took steps to deal with the unauthorised construction and a self demolition order dated 5th September, 2023 has been passed

directing the person(s) responsible to demolish the unauthorised construction.

The said order was passed upon giving a notice to all the concerned parties.

Upon hearing the submissions made on behalf of the parties, it appears that the Howrah Municipal Corporation has proceeded to redress the grievance of the petitioner and has passed order of demolition.

The Howrah Municipal Corporation is directed to ensure that the order of demolition is implemented in accordance with law.

The Officer-in-Charge, Shibpur Police Station is directed to render necessary assistance to the men and agents of the Howrah Municipal Corporation at the time of implementing the order of demolition and for the purpose of vacating the structure in question.

The writ petition stands disposed of.

The documents handed over by the learned advocate for the petitioner including the self demolition order dated 5th September, 2023 be retained 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.)