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04.12.2023
A.G.M.

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

W.P.A 18940 of 2023

**Akher Ali Mondal
-versus
The State of West Bengal & Ors.**

**Ms. Ananya Mondal.
...For the Petitioner.**

**Mr. Tirthankar Dey,
...For BMC.**

**Ms. Sujata Mukherjee
... For the State.**

The present writ petition was filed alleging illegal and unauthorised construction at the behest of the private respondents over L.R. Dag No. 157, Mouza-Atghara, J. L. No. 10, Khatian No. 3269, Police Station Baguihati under the jurisdiction of Bidhannagar Municipal Corporation.

The writ petition was filed on 4th August, 2023 and by the time the matter was taken up for consideration by the Court, the writ petitioner and the private respondents appear to have entered into a settlement relying upon which the petitioner presently does not intend to proceed with the writ petition any further.

The fact of unauthorised construction cannot be settled inter se the parties. It is the duty of the concerned municipal authority to ensure that the

construction is being made in accordance with the provisions of law.

As the petitioner has expressed his unwillingness to proceed with the writ petition, accordingly, the writ petition stands dismissed as 'not pressed'.

Dismissal of the writ petition will not stand in the way of the Bidhannagar Municipal Corporation to take steps against any unauthorised construction at the subject premises, if detected.

Instruction forwarded by the petitioner to the learned advocate be retained with the record.

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

(Amrita Sinha, J.)