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12.12.2023
d.p.

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

W.P.A 20182 of 2023

**Sri Sujit Kumar Kundu @ Sujit Kundu
-versus
The State of West Bengal & Ors.**

**Mr. Sanjib Seth.
...For the Petitioner.**

**Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Sobhan Majumder.
...For HMC.**

**Mr. Bikash Shaw.
...For the Respondent No.9.**

Affidavit-of-service filed in Court today is taken on record.

The allegation of the petitioner relating to unauthorized construction at the behest of the private respondents was duly considered by the Howrah Municipal Corporation and a reasoned order has been passed on 21st June, 2023.

The Corporation was of the opinion that there has been no unauthorized or illegal construction. The construction that has been made was for the purpose of securing and repairing the dilapidated structure.

The petitioner is aggrieved by the said reasoned order.

It has been submitted that the construction is a new one, made in an unauthorized manner and the same cannot be treated to be an authorized one. New construction has been made in the garb of repairing.

I have perused the reasoned order.

It is mentioned therein that the dilapidated R.T. shed was replaced by asbestos shed. The old shed could have caused loss of life. The asbestos shed has been constructed for their safety.

From the observations made in the impugned order, the Court is not inclined to exercise jurisdiction in the matter.

It will be open for the petitioner to approach the appropriate forum for redressal of his grievances.

The writ petition fails and is hereby dismissed.

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

(Amrita Sinha, J.)