

19
13.12.2023
d.p.

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

W.P.A. 20544 of 2023

**Paula Kausiki Basak
-versus
The Bidhannagar Municipal Corporation & Ors.**

**Mr. Somnath Roy Chowdhury,
Ms. Arpita Chowdhury.
...For the Petitioner.**

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

**Mr. Saptansu Basu, Sr. Adv.
Mr. Kunal Gupta,
Mr. Binoy Kumar Jain,
Ms. Piyali Jain.
...For the Respondent
Nos. 6 and 7.**

The petitioner is aggrieved by a tin structure constructed at the behest of the private respondents at the rear side of the subject premises.

The petitioner has other issues alleging unauthorized construction.

It appears that the other issues are already pending consideration in a separate writ petition before a coordinate Bench.

Accordingly, the Court restricts consideration of the present writ petition with regard to the tin structure complained of.

An inspection report has been produced before this Court by the learned advocate representing the Bidhannagar Municipal Corporation. It appears therefrom that the disputed structure was not taken into consideration at the time of inspection.

The Corporation is directed to conduct a spot inspection upon prior notice to both the parties. The spot inspection report shall be circulated and thereafter, an opportunity of hearing shall be provided to the parties to produce documents in support of the construction made.

If it ultimately transpires that the construction is impermissible in law, it will be open for the Corporation to take remedial steps.

The Corporation shall take steps in the matter at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)