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24.03.2023
d.p.

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

W.P.A 24958 of 2022

**Sri Arun Kumar Agarwal
-versus
The Howrah Municipal Corporation & Ors.**

**Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar,
Mr. Santanu Sett.
...For the Petitioner.**

**Mr. Ayan Banerjee,
Ms. Debasree Dhamali.
...For the Bally Municipality.**

**Mr. Sandipan Banerjee,
Mr. Santanu Chatterjee.
...For HMC.**

**Mr. Narayan Chandra Bhattacharyya,
Ms. Sujata Ghosh.
...For the State.**

The petitioner seeks for a direction upon the respondents to demolish and remove the illegal Cowshed (Khatal) running at 21, Rabindra Sarani, Liluah, Howrah-711204.

It appears from the documents annexed to the writ petition that the petitioner never made any representation or lodged any complaint before the Municipality under whose jurisdiction the premises is presently located.

The Bally Municipality has been impleaded as party respondent in the present writ petition.

A report has been filed by the Sub-Assistant Engineer, Department of the Bally Municipality signed on 2nd February, 2023 which mentions that an inspection was conducted on 31st January, 2023 and it was found that a Cowshed (Khatal) measuring 10' x 10' existed at the said place.

Photograph has been annexed to the said report evidencing that cattle is there under the temporary shed covered with polythene overhead.

It will be open for the petitioner to approach the Cattle Licensing Authority for taking appropriate steps for removal of the Khatal, if the same is at all running without any license.

Be it recorded that a civil suit being Title Suit No. 16448 of 2014 before the Learned 6th Civil Judge, Junior Division at Howrah filed by the petitioner against the person running the Khatal is pending consideration and order of status quo has been passed by the Learned Court below.

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.)