

26.10,2023
Item No.4
Ct. No.5
Vacation Bench
CHC/S. De
(disposed of)

W.P.A.24501 of 2023

Krishna Chandra Borai & ors.
Vs.
The State of West Bengal & ors.

Mr. Joy Chakraborty
...for the petitioners

Mr. Santanu Kr. Mitra,
Mr. Amit Halder
...for the State

Petitioners are aggrieved by the construction being carried at 14/3/1, Ganesh Chatterjee Lane within the jurisdiction of Shibpur Police Station, Howrah, Ward No.31.

Learned advocate appearing for the petitioners submits that he has communicated the order of injunction to the police authorities as well as the Commissioner, Howrah Municipal Corporation, the Assistant Engineer, Borough No.5, Howrah Municipal Corporation and the Assessor, Howrah Municipal Corporation. None of them paid any heed to the order of injunction so passed in Title Suit No.1305 of 2021 by the learned Civil Judge (Junior Division), 2nd Court, Howrah.

A report has been submitted by learned advocate appearing for the State. But none appears on behalf of Howrah Municipal Corporation.

Accordingly, I direct that both the Commissioners, Howrah Municipal Corporation and the Police Authorities would assess regarding the injunction order and as to whether there has been any violation of the said injunction order with regard to the subject-matter of illegal construction if any. The authorities would act in accordance with law if there are violations. If there are no violations, the authorities would not interfere unnecessarily.

With the aforesaid observations, W.P.A.24501 of 2023 is disposed of.

(Tirthankar Ghosh, J.)