

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

W.P.A 25188 of 2023

**Sk. Mohidur Rahaman & Anr.
-versus
The Howrah Municipal Corporation & Ors.**

**Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
... For the petitioners.**

**Mr. Sandipan Banerjee
Mr. Ankit Sureka
Mr. Sovan Majumdar
...For the H.M.C.**

**Mr. Ramij Munsif
Mr. Nishant Choudhury
... For the respondent.**

The petitioners claim to be aggrieved by the notice issued under Section 177(1) of the Howrah Municipal Corporation Act, 1980 dated 17th August, 2023 directing the persons responsible to self demolish the unauthorised construction at 97/1, Molla Para Lane, Ward No. 40, Borough -VI under the Howrah Municipal Corporation.

On a perusal of the notice of self demolition, the notice of hearing and the other documents annexed to the writ petition it appears that the same was issued to one Md. Jakir Hossain Mollick and others.

A Title Suit being TS 889/23 seeking declaration of title and permanent injunction is pending consideration in the learned Court below.

The petitioners have impleaded themselves as plaintiff nos. 3 and 4 in the Title Suit.

The petitioners appear to be hand and gloves with the persons to whom the notice of demolition and the notice of hearing was issued.

The submission of the petitioners that steps were taken by the Corporation behind their back does not appear to be correct. The Court is not convinced with the submission of the petitioners that they are the co-owners of the subject property.

In view of the above, no relief can be granted to the petitioners in the instant case.

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.)