

22.09.2023
Item No.03
RP
Ct. No.7

WPA 25371 of 2018

**Samar Nath Chakraborty
Vs.
The State of West Bengal & Ors.**

Mr. Asit Kumar Bhattacharya
Ms. Mousumi Biswas
... for Petitioner

Mir Anuruzzaman
Mr. Somen Bose
.. for Rajpur-Sonarpur Municipality

1. The petitioner prayed for a direction upon the municipal authorities to demolish the alleged illegal construction raised by the private respondent no.4. The petitioner has alleged that the private respondent has made an illegal construction by encroaching upon the common passage. Pursuant to an order dated January 16, 2023 an inspection was carried out by the Assistant Engineer of Rajpur-Sonarpur Municipality and an inspection report has been filed.
2. After going through the inspection report this Court finds that the Assistant Engineer has opined that the construction made is illegal as there is no sanction plan. In view of the aforesaid report, this Court directs the Board of Councillors of Rajpur-Sonarpur Municipality to initiate appropriate proceedings in accordance with law taking note of

the inspection report dated 24th January, 2023 of the Assistant Engineer and to dispose of the same as expeditiously as possible but positively within a period of six weeks from the date of receipt of the server copy of this order upon giving adequate opportunity to the petitioner and the private respondent.

3. With the aforesaid direction, this writ petition is disposed of.
4. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of usual formalities.

(HIRANMAY BHATTACHARYYA, J.)