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Ct No
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AGM

21.03
2023

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

WPA 23266 of 2022

**Rajesh Jaiswal & Anr
Vs
The Howrah Municipal Corporation & Ors
with**

WPA 27257 of 2022

**Ram Vinod Singh
Vs
The State of West Bengal & Ors**

Ms. Shebatee Datta,
Ms. Poulomi Roy,

... For the Petitioner in WPA
23266 of 2022 and for the
Private Respondent Nos. 8
and 9 in WPA 27257 of 2022.

Mr. Sanjib Seth,

... For the Petitioner in WPA
27257 of 2022 and for the
Private Respondent No. 6 in
WPA 23266 of 2022.

Mr. Susanta Pal,
Mr. Prabir Kumar Roy,

... For the State.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka,
Mr. Sobhan Majumdar,

... For the HMC.

A report signed on 21st March, 2023 has been filed
by the Assistant Engineer in-charge, Building
Department, Howrah Municipal Corporation.

The said report was prepared pursuant to a joint
inspection conducted on 20th March, 2023 wherein both
the parties were present. The details of the
illegalities/unauthorized construction are mentioned in
the said report.

The said report mentions that the parties are
directed to cause self demolition of the unauthorised area

within 15 days from the date of receipt of the order, and in default, the Corporation will cause demolition of the unauthorised construction and recover the cost of such demolition from the concerned party.

The report dated 21st March, 2023 has been circulated amongst the parties in Court today.

The parties are directed to act in accordance with the direction passed by the Howrah Municipal Corporation.

The portions, which the petitioner Rajesh Jaiswal has been permitted to be retained shall, however, not be required to be demolished. Rajesh Jaiswal will be obliged to produce documents showing that the Corporation permitted retention. In the absence of proper evidence permitting retention, the parties will not be entitled to claim retention.

The writ petitions stand 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.)