

WPA 2092 of 2024
Kamal Roy @ Kamal Kumar Roy
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya,
Mr. Bhaskar Seth

...for the Petitioner

Ms. Aparajita Ghosh

...for Respondent Nos. 8 & 9

Mr. Debjit Mukherjee,
Ms. Rupsha Chakraborty

...for the State

The petitioner alleges that respondent nos. 8 & 9 have raised an unauthorised construction encroaching the common passage running between the premises owned by the petitioner and respondent nos. 8 & 9.

Learned advocate appearing for respondent nos. 8 & 9 on the other hand submits a sanctioned plan dated June 12, 2015, was issued by the Uttarpara-Kotrung Municipality. She submits that no new construction has been raised. Respondent nos. 8 & 9, as per the sanctioned plan have only carried out some renovation works since the building is about 80 years' old.

Attention of this Court has been drawn to an order dated February 10, 2024, issued by the Uttarpara-Kotrung Municipality, whereby the Municipality sought to inspect the premises in question.

In that view of the matter, I am not inclined to pass any order at this stage. I only direct the Municipality to conclude the proceedings following the inspection carried

out in terms of the notice dated February 10, 2024, within a period of three months from the date of communication of this order.

WPA 2092 of 2024 is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)