

26.09.2024
Sl. No.23
Ct. No.15
S.A.

**WPA 2948 of 2024
with
CAN 1 of 2024**

Raju Gain & Anr.

-vs-

Bidhannagar Municipal Corporation & Ors.

Mr. Rabilal Maitra, Sr. Adv.

Mr. Goutam Misra

Mr. Vaskar Pal

...for the petitioners

Mr. Arka Kumar Nag

Mr. Tirthankar Dey

...for Bidhannagar Municipal Corporation

The petitioners challenge an order of demolition dated July 20, 2023, passed by Bidhannagar Municipal Corporation (appearing at page 25 of this writ petition).

It appears that in respect of the relevant building, a Coordinate Bench on November 14, 2022, in WPA 12895 of 2021, directed the Bidhannagar Municipal Corporation to pass a final order for demolition of an unauthorised construction after giving an opportunity of hearing to both the parties.

Mr. Rabilal Maitra, learned senior advocate appearing for the petitioners contends that the order dated July 20, 2023, has been passed without giving notice to the petitioners.

The Corporation could not show any document to suggest that for last three hearings, which took place on April 28, 2023, June 24, 2023 and July 8,

2023, any notice was issued to the petitioners. On that ground alone, the order dated July 20, 2023, is set aside.

This, however, shall not prevent Bidhannagar Municipal Corporation to hear the matter afresh after giving due notice to the petitioners and all concerned.

Accordingly, **WPA 2948 of 2024** along with **CAN 1 of 2024** is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties on compliance of usual legal formalities.

(Kausik Chanda, J.)