

01-05-2024
Item No.192 &
1732 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.4639 of 2024
Smt. Sraboni Pal

-vs-

The State of West Bengal & Ors.
with

WPA No.1873 of 2024
Phani Bhusan Paul

-vs-

The State of West Bengal & Ors.

Ms. Madhumita Patra ...for the petitioner
(in WPA 4639/2024) &
respondent no.5
(in WPA 1873/2024)

Mr. Apratim Bhattacharya
Mr. Sagar Chowdhury ...for the petitioner
(in WPA 1873/2024)

Mr. Triptimoy Talukder
Mr. Shamba Chakraborty ...for the municipality

Mr. Susanta Pal ...for the State

These two writ petitions relate to unauthorised construction at 61/5, C.S. Mukherjee Street, Konnagar in Ward No.5 of the Konnagar Municipality.

A spot inspection was conducted to ascertain the nature and extent of the unauthorised construction. All the parties were present at the time of spot inspection.

Further it appears from the submission made on behalf of both the parties that the spot inspection report is yet to be circulated. The municipality has issued a notice to demolish a portion of the subject property which has been constructed beyond the sanctioned plan.

Learned advocate representing the Konnagar Municipality submits that the matter is yet to be placed before the Board of Councillors of the municipality for passing final order.

The Konnagar Municipality is, therefore, directed to circulate the spot inspection report amongst the parties and thereafter afford an opportunity of hearing to all. Hearing shall be conducted by the Board of Councillors of the municipality in accordance with law at the earliest but positively within three months from the date of communication of this order. A reasoned order shall be passed and communicated to the parties.

Both the writ petitions stand disposed of.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

