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03.04.2024
d.p.

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

W.P.A. 7157 of 2024

**Subrata Sharma
-versus
The State of West Bengal & Ors.**

**Mr. Raju Mondal,
Mr. Marooq Rahaman.
...For the Petitioner.**

**Mr. Sandipan Banerjee,
Ms. Utsa Dutta.
...For DMC.**

The petitioner filed the instant writ petition alleging illegal and unauthorized construction at the behest of the private respondent over plot no. 324, J.L. No. 67, Mouza-Benachity and in front of Salbagan Road 1 No. within the jurisdiction of the Durgapur Municipal Corporation.

Presently, the petitioner has given a written communication to his learned advocate disclosing his intention not to proceed with the writ petition any further.

Learned advocate appearing for the Durgapur Municipal Corporation submits, upon instructions, that on enquiry it has been detected that the construction in question is indeed and illegal one.

As the petitioner does not intend to proceed with the writ petition, accordingly, the same stands dismissed as 'not pressed'.

It is made clear that dismissal of the writ petition will, however, not stand in the way of the Durgapur Municipal Corporation to initiate appropriate proceeding to deal with the unauthorized construction in accordance with law.

The written communication made by the petitioner to the learned advocate be retained with the records.

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

(Amrita Sinha, J.)