

09.07.2024

Item No. 20

Ct. No. 15

AKG

WPA 8554 of 2024
Sri Buddhadeb Das
Vs.
The State of West Bengal & Ors.

Mr. Prantick Ghosh, Mr. Prasad Bhattacharyya	...for the Petitioner
Mr. Soumyajit Bhatta	...for Respondent No. 3
Mr. Pinaki Bhattacharyya, Mr. Subayu Das	...for the State
Ms. Priya Ghosal	...for Respondent Nos. 6 & 7

The petitioner is aggrieved by an order dated February 23, 2024, passed by the Board of Councilors, Panihati Municipality.

The order was passed in compliance with an order of the Coordinate Bench of this Court dated November 20, 2024, in WPA 21078 of 2023. The order impugned declares the construction undertaken by the petitioner as well as by respondent nos. 6 & 7 to be unauthorised.

It has been submitted by the learned advocate appearing for the Panihati Municipality that a consequent demolition order will be passed in the upcoming meeting of Board of Councilors of the Panihati Municipality.

In my view, the Municipality has rightly pointed out that order dated February 23, 2024 is appealable under Section 218 (3) of West Bengal Municipal Act, 1993. The proposed demolition order will be a consequential order to the order dated February 23, 2024.

In view of the aforesaid, I grant liberty upon the parties to approach the appellate authority under Section 2318 (3) of the West Bengal Municipal Act, 1993 against the order impugned.

With the aforesaid observation, **WPA 8554** 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.)