

18.04.2024  
Item No.25  
gd/ssd

WPA(P)/142/2024  
MATIUL HOQUE  
VS  
STATE OF WEST BENGAL AND ORS.

Ms. Priyanka Paul  
..for the Petitioner.

Mr. Jahar Lal De  
..for the State.

Mr. Usof Ali Dewan,  
Mr. Asif Dewan  
..for the Respondent No.3.

1. By way of this public interest litigation the petitioner alleges that a nursing home put up by the 4<sup>th</sup> respondent is an unauthorized building and has to be demolished.

2. The 4<sup>th</sup> respondent herein had filed a writ petition being WPA 20330 of 2022 challenging a notice issued dated August 26, 2022 under Section 218 of the West Bengal Municipal Act, 1993 directing demolition of the illegal portion of the building constructed by the 4<sup>th</sup> respondent.

3. By order dated 10<sup>th</sup> November, 2022 the said notice was set aside and the Board of Councillors of Jangipur Municipality were directed to issue notice afresh after serving a copy of the inspection report and proceed to take action.

4. The learned advocate appearing for the Municipality submitted that in terms of the order

passed in the writ petition notice was issued and the hearing was fixed on 16.04.2024, on which date an adjournment has been sought for and on instruction it is submitted that two months' time may be granted to complete the entire proceedings.

5. In the light of the action already initiated, we direct the Municipality to fix a fresh date for hearing within ten days from date, hear the parties and pass final orders on merits and in accordance with law not later than 14<sup>th</sup> June, 2024.

6. With the above observation, the writ petition stands disposed of.

**(T. S. SIVAGNANAM)**  
**CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**