

03.09.2024
Sl. No.32
Ct. No.15
S.A.

WPA 10496 of 2024

Ranjit Gupta
-vs-
State of West Bengal & Ors.

Ms. Shebatee Dutta
Ms. Poulami Roy
...for the petitioner

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Ms. Riya Ghosh
...for Bally Municipality

Mr. Biswajit De
Mr. Chandan Kumar Mondal
...for the State

Let the report filed by Bally Municipality be kept with the records.

The petitioner alleged unauthorised construction at the behest of respondent no.5 at premises no.33, Dr. Samim Khan Road, Ghusuri, Howrah, Ward No.17, Pin-711202.

The report filed by Municipality makes it clear that the Executive Officer, Bally Municipality along with the concerned Sub-Assistant Engineer inspected the premises and it transpired that the owner of the building had obtained a sanctioned plan for a G+3 storied building. The owner, however, had constructed two additional floors beyond the sanctioned plan.

It further appears that while the sanctioned area for each floor was 61.16 square metres, the

construction has on each floor extended to 124.227 square metres.

Learned advocate appearing for the Municipality submits that a stop-work notice has already been issued in respect of the aforesaid premises under Section 220(1) of the West Bengal Municipal Act, 1993. She further submits that further steps shall be taken shortly against the unauthorised construction.

In the aforesaid facts, I do not find any justification to keep this matter pending.

Accordingly, this writ petition is disposed of with a direction upon Bally Municipality to initiate appropriate demolition proceeding regarding the unauthorised construction and to complete the same in accordance with law within a period of four months from the date of communication of this order.

Accordingly, **WPA 10496 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.)