

Item No.11

In the High Court At Calcutta  
Special Jurisdiction  
Appellate Side

10.05.2024  
Court No. 24  
AGM

WPA 10976 of 2024

Saptarshi Deb  
v.  
State of West Bengal & Ors.

Mr. Samim Ahammed.  
Mr. Arka Maiti.  
Ms. Ambiya Khatun.  
Ms. Gulsanwara Pervin.  
... for the Petitioner.

Mr. Santanu Kumar Mitra.  
... for the N.K.D.A.

Mr. Sudipta Panda.  
Mr. Nauroz Rahber.  
... For the State.

Mr. Abhratosh Majumdar. Sr. Adv.  
Mr. Chayan Gupta.  
Mr. Saaqib Siddiqui.  
... For the respondent no. 6.

A joint inspection was conducted by the HIDCO and the NKDA authority in presence of the petitioner. The unauthorised structure has been identified.

HIDCO has filed report clearly mentioning that HIDCO is the owner of the land where the construction has been made. NKDA has filed report clearly mentioning that no notice was served for making the said construction and the authority was not aware that those constructions have been set up.

Learned advocate appearing for the petitioner submits that there are several similar other

constructions in the said area. The details of the said alleged unauthorised constructions have been forwarded to the authorities via electronic mail on 9<sup>th</sup> May, 2024. Let the information also be passed on to the learned advocates representing HIDCO and NKDA for taking consequential remedial steps.

As the authorities have come to a conclusive finding that no permission was granted for raising the constructions complained of, accordingly, the authorities are directed not to allow the constructions to be used by anybody for any purpose whatsoever.

Learned advocate representing the police has filed a report wherein it is mentioned that local enquiry revealed that the alleged constructions are used as party office of the ruling dispensation. The party office attendant of BA block, Street no. 143, New Town, Kolkata 156 has been communicated about the order of the Court and instructed not to use the structure for political purpose. Since then the construction is abandoned and under lock and key. Strict vigil is being maintained.

The police is directed to keep strict vigil and ensure that the unauthorised constructions are not being used by any person for any purpose whatsoever.

The authorities are directed to take steps for removal/demolition of all the unauthorised constructions in accordance with law at the earliest.

The writ petition stands disposed of.

Report filed by the NKDA, HIDCO and police is taken on record.

Liberty to mention.

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

**(Amrita Sinha, J.)**