

13.06.2024
Sl. No. 18
Suman
Ct.No.15

WPA 11466 of 2024

Smt. Ratna Dutta
Vs.
The Howrah Municipal Corporation and Ors.

Mr. Pinaki Ranjan Chakraborty
Ms. Debanwita Pramanik
..for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka
Mr. Sobhan Majumder
Mr. S. Roy
..for Howrah Municipal Corporation

The petitioner challenges a self-demolition order dated April 16, 2024, issued by the Howrah Municipal Corporation. The petitioner claims to be the owner of the relevant premises. It is her specific case that the order impugned has been passed without giving any opportunity of hearing to her.

Howrah Municipal Corporation also does not dispute the fact that the order of demolition was passed without hearing the petitioner.

The petitioner being the owner of the premises, ought to have been granted an opportunity of hearing in terms of Section 177(1) of Howrah Municipal Corporation Act, 1980. Therefore, the order of demolition dated April 16, 2024 is set aside.

Howrah Municipal Corporation shall issue a fresh notice to the petitioner and conclude the proceedings under Section 177(1) of Howrah Municipal Corporation Act, 1980, within a period of four months from the date of communication of this order.

Needless to mention that any other order passed by the Corporation in consequence of the self-demolition order shall not be given effect to till the decision is arrived at by Howrah Municipal Corporation in terms of this order.

Accordingly, **WPA 11466 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)