

M/L.99.
June 12, 2024.
MNS.

WPA No. 10098 of 2022

Sk. Ansar Ali and others
Vs.
The State of West Bengal and others

Mr. Amar Nath Sen,
Mr. Malay Dhar,
Mr. Amit Bikram Mahata

... for the petitioners.

Mr. T. M. Siddiqui, Ld. AGP.

...for the State.

Mr. Salil Kumar Maiti,
Ms. Dolan Samanta

...for the respondent no. 11.

The grievance of the petitioners is directed against a communication dated 31st May, 2022, whereby the Additional District Magistrate has directed demolition of an illegal construction.

It is fairly submitted by the petitioners that though an initial order of injunction had been passed on 15th June, 2022 by a Coordinate Bench, there is no subsisting order of injunction and there is no *status quo* in respect of the above premises.

Pursuant to an earlier order dated 14 July 2021 passed in W.P. No. 12299(W) of 2019, the District Magistrate by the impugned communication has conclusively found that after the respondent authorities had undertaken a field

verification and found illegal construction. The impugned order is reasoned. Obviously, the petitioner is only seeking to frustrate demolition on frivolous pretexts.

The prayer of the petitioner for reconsideration is also a dilatory measure and is outrightly rejected. There is no other ground which the petitioner has been able to urge which justifies any interference with the impugned communication. There is no illegality or irregularity which warrants any interference with the impugned communication. The impugned communication records that only a part of the authorized construction was removed and the major portion of the unauthorized construction remains untouched.

WPA No. 10098 of 2022 stands dismissed by directing the respondent authorities to act expeditiously in accordance with law. Interim orders if any stand vacated.

(Ravi Krishan Kapur, J.)