

02.05.2024
Item No.20
RP
Ct. No.1

WPA(P) 172 of 2024

**Shankar Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Wasim Raja

.....for Petitioner

Mr. Amitesh Banerjee, Sr. Standing Counsel

Mr. Rudrajit Sarkar

.....for State

Mr. Sandipan Banerjee

Mr. Ankit Surekha

Mr. Sobhan Majumder

.....for HMC

1. By way of filing this public interest litigation petition the petitioner alleges that the private respondent has put up construction in the area in question over and above the sanction plan. It is stated that sanction was granted for G+3 floor whereas G+6 floor has been constructed.
2. The developer has been impleaded as the 10th respondent in the writ petition. In spite of service, none appears for the developer.
3. Learned advocate for the respondent State would submit that a case with regard to illegal construction has already been registered by the police authority.
4. Learned advocate appearing for the Howrah Municipal Corporation submitted that already a notice with regard to illegal construction has been issued on 24.3.2024 and further action is being pursued.
5. If it is an admitted case of unauthorised construction then the Howrah Municipal Corporation should take action in accordance with law expeditiously after giving notice to the

developer, occupiers and the writ petitioner and thereafter proceed to take action in accordance with law.

6. With the aforesaid direction, the writ petition is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)