

11.09.2024
Sl. No.6
Ct. No.15
S.A.

WPA 12008 of 2024

Manjura Bibi
-vs-
State of West Bengal & Ors.

Mr. Kingsuk Mondal
...for the petitioner
Mr. M. Ahmed
...for the Municipality
Mr. Sailendra Sekhar Bayerd
...for the State

A demolition order dated October 5, 2023, was passed against respondent no.9 by Maheshtala Municipality. The petitioner has filed this writ petition before this Court for implementation of the said demolition order.

When this matter was taken up for hearing on September 9, 2024, the petitioner alleged that without implementing the demolition order dated October 5, 2023, another notice for demolition was issued on August 23, 2024, by the Municipality.

This Court adjourned the hearing of the case to seek a clarification from the Municipality.

Today, the learned advocate representing the Municipality has produced a letter dated September 10, 2024, addressed to its learned advocate. The relevant part of the said order is quoted below:

“In connection with the captioned above this is to inform that the aforesaid stop work notice has been

issued based on a petition filed on 22.8.2024 by Smt. Manjura Bibi. Her letter was an objection to the laying of water pipe line by Sk. Alomgir, S/o. Sk. Moktiar Rahaman. This stop work notice relates to the laying of water pipe line only and does not have any bearing on the demolition work. Not mentioning of water pipe line explicitly in the notice may have caused a confusion. Any gap in understanding is thus regretted. The demolition order vide memo no.1862/1-A/MM/ESTT/533 dated 5.10.2023 remains in effect as usual.”

In view of the clarification given by the Municipality, I do not find any justification to keep this writ petition pending. The Municipality shall execute the order of demolition order dated October 5, 2023, in accordance with law as expeditiously as possible.

Accordingly, **WPA 12008 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.)