

Sl. 30
09.09.2024
Suman
Ct.No.15

WPA 12101 of 2024

Tapas Kumar Shit and Anr.
Vs.
The State of West Bengal and Ors.

Mr. Amit Baran Dash
Ms. Ankana Sarkar
..for the petitioners

Mr. Nilanjan Adhikari
..for respondent nos. 3 to 6.

Mr. Asish Kumar Guha
Mr. Benazir Ahmed
..for the State

Ms. Santi Das
Mr. R. D. Bhowmick
..for respondent no.8.

The petitioners challenge a reasoned order dated March 15, 2024, passed by Contai Municipality in compliance with an order dated April 19, 2023, passed in WPA 6268 of 2023.

The petitioners in the said writ petition alleged unauthorised construction at the behest of respondent no.8.

The Municipality in the order dated March 15, 2024, found that respondent no.8 has raised corrugated frame structure over a G+2 building without any sanctioned plan. Accordingly, the Municipality directed demolition of the said corrugated

frame structure over the second floor within thirty days from the date of receipt of the order.

The petitioners appear to be aggrieved by the said order. The petitioners argue that the Municipality ought to have considered that respondent no.8 has raised the entire construction without leaving the mandatory open space.

I am not inclined to entertain the challenge of the writ petitioners. The Municipality after considering an inspection report and giving due opportunity to both the petitioners and respondent no.8 concluded that the G+2 building was in terms of the sanctioned plan granted by the Municipality.

Therefore, I do not see any reason to interfere with the order of demolition dated March 15, 2024.

Accordingly, **WPA 12101 of 2024** is dismissed.

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.)