

23.09.2024
Item No.24
Ct. No.15
S.A.

WPA 12325 of 2024

Manju Shaw
-vs-
State of West Bengal & Ors.

Mr. Surajit Basu
Ms. Jasika Alam
Mr. Pritam Chakraborty
...for the petitioner

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Ms. Riya Ghosh
...for Bally Municipality

Mr. Mohan Kumar Sanyal
Ms. Sreyasree Choudhury
...for the State

Mr. Pawan Kumar Gupta
Mr. Vijay Verma
Ms. Sofia Nesar
Mr. Santanu Sett
...for respondent no.15

The petitioner has alleged unauthorised construction at 4/1, Girish Ghosh Road, Belur, Howrah by respondent nos.6 to 16.

The Municipality, however, submits that respondent nos.6 to 16 have obtained a sanctioned plan for a G+4 building and according to the sanctioned plan, they have raised the construction. The petitioner, however, contends that during the construction, the mandatory side open space has not been maintained.

Learned advocate appearing for the Municipality seeks further instruction regarding this allegation.

I am, however, not inclined to keep this writ petition pending.

Let the Municipality inspect the premises and find out if the respondent nos.6 to 16 have constructed the building without leaving the required mandatory side open space. Necessary steps should be taken accordingly by the Municipality. The exercise shall be completed within eight weeks from the date of communication of this order.

Accordingly, **WPA 12325 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.)