

23.09.2024
Item No.31
Ct. No.15
S.A.

WPA 12642 of 2024

**Trinayani Construction Private Limited & Anr.
-vs-
Durgapur Municipal Corporation & Ors.**

Mr. Anirban Das
Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty
...for the petitioners
Mr. Sandipan Banerjee
...for Durgapur Municipal Corporation
Mr. Uttiya Ray
Mr. Arnab Mandal
...for respondent nos.3 & 4

Respondent Nos. 3 and 4 allege that the petitioner is constructing a boundary wall that encroaches upon a portion of their land. The petitioner, however, refutes this allegation, contending that the Municipality has unlawfully issued a stop-work notice regarding both the boundary wall and the residential building under construction.

The Durgapur Municipal Corporation contends that a hearing involving the parties has been conducted and that a report has been sought for from the relevant Block Land and Land Reforms Officer concerning the complaint filed by Respondent Nos. 3 and 4.

In light of these circumstances, I am disinclined to keep this writ petition pending. The Corporation is directed to conclude the proceedings within two

months from the date of communication of this order, in accordance with applicable law.

I find no justification for restraining the petitioner from constructing the residential house in accordance with the sanctioned plan granted by the Corporation. The petitioner is, therefore, at liberty to proceed with the construction of the residential building as per the approved plan.

Accordingly, **WPA 12642 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.)