

Sl. No.38
23.09.2024
Suman
Ct. 15

WPA 13289 of 2024

Ashok Kumar Mukherjee
Vs.
The State of West Bengal and Ors.

Mr. Jyoti Prakash Chatterjee
....for the petitioner

Ms. Sabnam De Bardhan
..for the State

Mr. Subhajit Chatterjee
Mr. Debanjan Chatterjee
..for respondent no.7.

Mr. Subhasis Bandopadhyay
..for the Municipality

Let the report filed by the State be retained in the records.

The petitioner alleges that respondent no. 7 has engaged in unauthorized construction at Dag No. 5947, J.L. No. 42, Mouza-Bahirsarbamangala, Purba Bardhaman. However, the learned advocate representing respondent no. 7 has submitted a copy of the additional building plan dated April 6, 2023, indicating that the construction has been executed in accordance with the sanctioned plan.

The learned advocate representing the Municipality, however, asserts that the petitioner has

undertaken construction in violation of the sanctioned plan.

In light of these, I dispose of the writ petition with a directive upon the Purba Bardhaman Municipality to conduct an inspection of the site to determine whether any unauthorized construction has been carried out by respondent no. 7 beyond the sanctioned plan.

Should the Municipality find any unauthorised construction, it shall take appropriate action in accordance with the law, ensuring that all concerned parties are afforded an opportunity for a hearing, within a period of three months from the date of communication of this order.

Accordingly, **WPA 13289 of 2024** is disposed of.

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.)