

WPA 13643 of 2024
Krishna De
Vs.
The State of West Bengal & Ors.

Mr. Soumyajit Bhatta
...for the Petitioner
Mr. Suman Dey,
Mr. Arijit Mukherjee
...for the State
Mr. Dilip Kr. Saha
...for Respondent Nos. 5 & 6
Mr. Sudarsan Roy,
Mr. Diptanka Majumder
...for Municipality

The petitioner expresses grievance regarding the Municipality's failure to issue a demolition order related to the alleged unauthorized construction undertaken by Respondent Nos. 5 and 6.

On behalf of the Municipality, it is submitted that the Board of Councillors convened a meeting regarding the unauthorised construction, with due notice to all concerned.

However, no further action was taken as Respondent Nos. 5 and 6 approached the Civil Court.

In my view, the dispute before the Civil Court pertains to the title of the parties concerning the relevant property. The Municipality should proceed with the demolition process, notwithstanding the

pendency of such dispute before the Civil Court, if it is found that the construction in question is unauthorised.

In light of this, this writ petition is disposed of with a directive to the Municipality to complete the initiated demolition proceedings within three months from the date of communication of this order, after hearing all concerned parties.

Accordingly, **WPA 13643 of 2024** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)