

01.08.2024
Item No. 21
PG/RP
Ct. No.1

W.P.A. (P) 287 of 2024

**Sri Amitabh Mohanty
Versus
The State of West Bengal & Ors.**

Mr. Tanmoy Mukherjee
Mr. Soubhik Das
Mr. K.R. Ahmed
Mr. Rudranil Dasfor the petitioner

Mr. Ashim Kumar Ganguly
Mr. Bellal Shaikh.....for the State

Mr. Sandipan Banerjee
Mr. Ankit Surekha
Mr. Sobhan Majumder.....for the Howrah Municipal
Corporation

Mr. Debasis Sur
Sk. Md. Amanullah.....for the respondents 7 & 8

1. This writ petition has been filed as a public interest litigation alleging that the private respondents have put up construction without any approval and the construction is totally unauthorised.
2. The submission is fully supported by the stand taken by the Howrah Municipal Corporation as per the written instructions given to the learned advocate and it is submitted that in spite of stop work notice having been issued, the private respondents are proceeding with the construction.
3. If that be the case, the private respondents have to be prosecuted. Therefore, we direct the 2nd respondent to immediately seal the building and the 6th respondent

viz., the Officer-in-Charge, Howrah Police Station shall deploy the necessary police force to enable the municipal authorities to seal the building and thereafter issue notice for demolition of the building and after hearing the private respondents, the 2nd respondent shall proceed to take action in accordance with law.

4. The above directions shall be complied with within three weeks from the date of receipt of the server copy of this order.
5. With the above directions, the writ petition is disposed of.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)