

16.07.2024
Sl.No.11
Ct. No.15
S.A.

WPA 20088 of 2023

Haraprasad Gowri & Ors.

-vs-

State of West Bengal & Ors.

Mr. Gopal Pahari
Ms. Mandeep Kaur

...for the petitioners

Mr. Nabhajit Prasad Basu
Mr. Arindam Mitra

...for the State

Mr. Sandipan Banerjee
Mr. Ankit Sureka
Mr. Sobhon Majumder

...for Howrah Municipal Corporation

Mr. Rafikul Islam Sardar

...for respondent no.8

The writ petitioners have alleged that respondent no.8 raised an unauthorised construction at premises no. 57, Mourigram Station Para, Howrah.

The Corporation has filed a report in terms of the order dated June 14, 2024, passed by this Court.

The report suggests that respondent no.8 had a sanctioned plan for the building raised at his premises, but there has been some deviation from the sanctioned plan. The report of the Corporation indicates that petitioner no.2 has constructed a building at his premises without any sanctioned plan. Similarly, from the report it appears that the petitioner no.3 has also constructed a G+1 structure without any sanctioned plan at her premises.

With regard to the petitioner no.1, the report alleges that he submitted an “as made” plan for deviation of the sanctioned plan at his premises since he had also made additional construction in deviation from the sanctioned plan.

Let the report filed by the Corporation be kept with the records.

In view of the aforesaid report filed by the Corporation, I do not find any reason to keep this writ petition pending.

I direct the Corporation to take steps against the petitioners as well as respondent no.8 in accordance with law within a period of three months from the date of communication of this order.

Needless to mention that before taking the decision, the Corporation shall hear all concerned.

Accordingly, **WPA 20088 of 2023** is disposed of.

(Kausik Chanda, J.)