

28 28.02.2024
NB Ct. 24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(Appellate Side)

WPA 20356 of 2023

Maya Patra
Vs.
The State of West Bengal & Ors.

Mr. Jagannath Ganguly.
...for the petitioner.

Mr. D. Mukherjee,
Ms. Oindrila Chatterjee.
..for the State.

Mr. Sirsanya Bandopadhyay,
Mr. Arka Kr. Nag,
Mr. Tirthankar Dey.
...for BMC.

Affidavit of service filed in Court today is taken on record.

None represents the private respondents.

The petitioner complains of illegal and unauthorised construction over plot no. 512, Block RA, Santinagar. It has been alleged that the objection filed against such unauthorised construction has not been considered till date.

Learned advocate representing the Bidhannagar Municipal Corporation relies on a communication made by the Executive Engineer of the Corporation to the petitioner annexing copy of the order dated 13th May, 2023.

It appears from the order dated 13th May, 2023 that the Corporation detected unauthorised construction over Plot No.RA-512 /1. The Corporation directed the person responsible for making unauthorized construction to demolish the

unauthorised G+3 storied structure which was constructed without a sanctioned building plan within four weeks failing which the Corporation shall take steps to demolish the unauthorised structure as per the provisions of the West Bengal Municipal Corporation Act, 2006.

The unauthorized construction has not been demolished till date and the same is required to be demolished without any further delay.

As the time allowed by the Corporation within which the unauthorised construction was required to be demolished elapsed long back, accordingly, the Bidhannagar Municipal Corporation is directed to implement the order of demolition passed by the Commissioner on 13th May, 2023.

Steps shall be taken in the matter at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Amrita Sinha, J.)