

30.08.2024
Sl. No. 145
AKG
Ct. 15

WPA 21757 of 2024
Sankar Kushari
-vs-
The State of West Bengal & Ors.

Mr. Subhadeep Chatterjee,
Ms. Arpita Kundu
...for the Petitioner

Mr. Subhabrata Das,
Mr. Mrinal Kanti Das,
Mr. Kartick Kumar Goyal
...for Municipality

Ms. Jhuma Chakraborty,
Ms. Arpita Mondal
...for the State

Since the learned advocate appearing for the North Barrackore Municipality cannot dispute that the order of the demolition dated February 27, 2024, has been passed by the Chairman without any resolution of the Board of Councillors, the order of demolition cannot be sustained.

Accordingly, the order of demolition dated February 27, 2024 and the notice dated July 26, 2024 are set aside.

This shall not prevent the Municipality from proceeding with the demolition work afresh in accordance with law.

WPA 21757 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.)