

WPA 22900 of 2024
Chandan Rajput Banerjee @ Chandan Banerjee & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Tauhid Khan,
Mr. Kushal Chatterjee,
Mrs. Marufa Mondal

...for the Petitioners

Ms. Mekhla Sinha,
Ms. Malabika Roy Dey

...for Howrah Zilla Parishad

Let the report filed by the Howrah Zilla Parishad be kept with the records.

It is an admitted fact that the unauthorised construction undertaken by the petitioners was regularized by the Howrah Zilla Parishad by an order dated February 21, 2023. By a letter dated April 25, 2023, the petitioners were asked to deposit a sum of Rs. 8,93,516/- as fees and penalty for such regularisation within fifteen (15) days.

Learned advocate appearing for the petitioners submit that the petitioners could not arrange the necessary funds within the due time. The petitioners submit that now, they have secured the funds and are prepared to deposit the fees and penalty before the Zilla Parishad.

Learned advocate appearing for the Zilla Parishad submits that since the petitioners have failed

to deposit the money within the due time, the Zilla Parishad did not accept the same.

I am of the view that since the Building Committee of the Howrah Zilla Parishad principally agreed to regularise the deviated part, merely because of some delay in depositing the fees, this process should not be aborted.

I am convinced that the petitioner was prevented by sufficient reasons from depositing the fees and penalty for regularisation in due time.

In view of the aforesaid facts, I allow this writ petition with a direction upon the petitioner to deposit the fees for regularisation/penalty as directed by the Zilla Parishad by the letter dated April 25, 2023, within three weeks from date.

However, in the facts of the case, the petitioners shall deposit a further sum of Rs. 50,000/- as consolidated interest for the belated payment within the said period of two weeks.

Upon acceptance of such deposits, the Howrah Zilla Parishad shall regularise the construction.

Accordingly, **WPA 22900 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.)