

15
08.01.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 22735 of 2023

**The Secretary, Newtown Kolkata Action
Area IIIC Residents' Cultural Association & Anr.
-versus
The West Bengal Housing Infrastructure
Development Corporation Ltd. & Ors.**

**Mr. Joydip Kar, Sr. Adv,
Mr. Billwadal Bhattacharyya,
Mr. Siddhartha Banerjee,
Mr. Suryaneel Das,
Mr. Soumajit Majumder,
Mr. Chiranjit Pal.
...For the Petitioners.**

**Mr. Santanu Kumar Mitra,
Mr. Amartya Pal.
...For NKDA.**

**Mr. Abhratosh Majumdar,
Mr. Chayan Gupta,
Mr. Rahul Das,
Mr. Sanjib Siddiqui.
...For the Respondent
Nos. 1 and 2.**

Report filed by the West Bengal Housing Infrastructure Development Corporation Limited is taken on record.

It appears therefrom that the authority has come to a specific finding that the vacant land has been illegally encroached upon by a Masjid Committee. The Masjid Committee was directed to remove all the encroachments and the structures illegally constructed.

Several meetings took place in the presence of the local members of the Zilla Parishad, Sabhapati,

Rajarhat Panchayat Samity to resolve the issue. Notice was also issued to the Masjid Committee to show cause as to why action should not be taken against them for unauthorized fencing and construction at the site. The mutawalli of the Masjid Committee was asked to remove the unauthorized construction and the fencing immediately.

It has been mentioned in the report that despite all possible attempts taken for an amicable solution to the disputes, the same has not been fruitful. The unauthorized construction still remains.

As the New Town Kolkata Development Authority is the competent authority to take steps against any unauthorized construction in the area, accordingly, New Town Kolkata Development Authority is directed to take prompt necessary steps to deal with the unauthorized construction in accordance with law at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

The Commissioner of Police, Bidhannagar Police Commissionerate is directed to render adequate police protection and all necessary assistance and co-operation to the men and agents of New Town Kolkata Development Authority at the time of implementing the order of demolition, if sought for.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)