

Sl. No.80
01.10.2024
Suman
Ct. 15

WPA 23662 of 2024

Tapan Gope
Vs.
The State of West Bengal and Ors.

Mr. Ratul Das
Mr. Dilwar Khan
Mr. S. S. Roy
..for the petitioner

Mr. Sandipan Banerjee
Mr. Arijeet Bhattacharjee
Ms. U. Dutta
..for Durgapur Municipal Corporation

Mr. Shamik Chatterjee
Mr. Arya Banerjee
..for respondent no.5

It is undisputed that the building in question is approximately 60 years old. A demolition proceeding was initiated at the behest of Respondent No. 5, who alleged that the building lacks a sanctioned plan.

Respondent No. 5 has since indicated that he has withdrawn the complaint he lodged.

Considering the age of the building and the aforementioned facts, I am of the opinion that the demolition notice dated August 23, 2024, issued by the Corporation should not be upheld.

Accordingly, the demolition notice dated August 23, 2024, is hereby set aside. The petitioner shall be at liberty to undertake the necessary repair work with due permission from the Corporation.

Accordingly, **WPA 23662 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)