

Sl. No.10
12.12.2024
Suman
Ct. 15

WPA 24699 of 2024

Ishanika Developers Private Limited
Vs.
The State of West Bengal and Ors.

Mr. Mahendra Prasad Gupta
Mr. Ayan Mitra
Mr. S. Singh
Mr. Aditya Sinha
Ms. Antara Panja
...for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka
..for Howrah Municipal Corporation

The learned advocate representing the Howrah Municipal Corporation admits that the petitioner initially obtained approval for a building plan for a G+4 storied structure and subsequently received permission to construct three additional floors.

In light of this, I find no justification for the issuance of the notice dated September 10, 2024, by the Howrah Municipal Corporation, directing the petitioner to halt the construction work.

Consequently, the notice dated September 10, 2024, is hereby set aside.

The Corporation, however, contends that the petitioner has deviated from the approved plan, a claim which the petitioner denies. The petitioner submits

that the construction will proceed in accordance with the sanctioned plan.

Should there be any deviation from the approved plan, the Corporation shall be entitled to take appropriate action in accordance with the law.

Accordingly, **WPA 24699 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.)