

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

W.P.A 24539 of 2023

**Smt. Malaya Bhowmik & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Dyutiman Banerjee.
Mr. Salil Kumar Maiti.
Mr. Vishal Mallick.
...For the Petitioners.**

**Mr. Gopal Chandra Das.
Ms. Ananya Das.
...For Tamrolipta Municipality.**

**Mr. Pradip Kumar Mondal.
Mr. Biman Halder.
...For the State.**

**Mr. Suprabhat Bhattacharya
...For the Respondent
Nos. 9, 10, 12.**

**Mr. Bhabani Prosad Mondal.
Mr. Sukanta Mondal.
... For the private respondent no.11.**

For the purpose of implementation of the order dated 14th October, 2022 passed by the Chairman, Tamrolipta Municipality, the instant writ petition has been filed by the owners of the subject premises.

The owners have filed an undertaking wherein the details of the stall arrangement of the proposed building to be constructed in respect of eleven tenants have been specified.

The undertaking mentions that newly constructed stalls will be handed over to the tenants

within a period of eighteen months from the date of sanction of the revised building plan by the Tamrolipta Municipality. The sanction can be obtained only after the old structure is fully demolished.

The plan proposal which has been submitted contains the signature of the developer engaged by the petitioners for construction of the subject (B+G+4) storied residential-cum-commercial building.

The parties are directed to act in accordance with the undertaking submitted before the Court.

It will be open for the tenants to discuss the issue of compensation for the period they will remain out of the premises on account of the new construction to come up.

It will be open for the petitioners to start demolition of the portions which are already vacant and as regards the portions where the tenants are still occupying, the same shall be demolished immediately after the same are vacated by the tenants. The tenants are directed to vacate the premises by 10th June, 2024.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)