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20.02.2024
d.p.

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

W.P.A 24969 of 2023

**Debasish Laha
-versus
The State of West Bengal & Ors.**

**Mr. Malay Bhattacharyya,
Mr. Subhrojyoti Ghosh.
...For the Petitioner.**

**Ms. Munmun Tewary,
Ms. Srijani Mukherjee.
...For the State.**

**Mr. Samiran Mondal,
Mr. Abhinaba Dan.
...For the Municipality.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner complains that the private respondent has made construction by violating the provisions of the West Bengal Municipal (Building) Rules, 2007.

Reference has been made to the inspection report of the Sub-Divisional Officer, Sadar Bankura which mentions about the unauthorized construction being made at the behest of the private respondent.

The petitioner thereafter made a representation before the Municipality praying for taking steps for demolition of the unauthorized construction.

The said representation is yet to be considered and disposed of.

As it appears that there is a finding from the Sub-Divisional Officer, Sadar Bankura that unauthorized construction has been made at the behest of the private respondent, accordingly, the Municipality is directed to take necessary steps to deal with the unauthorized construction in accordance with law, after giving a reasonable opportunity of hearing to all the necessary parties.

Necessary consequential steps shall be taken in the matter at the earliest, but positively within a period of eight weeks from the date of communication of this order.

Learned advocate appearing for the petitioner is directed to forward a copy of the inspection report prepared by the Sub-Divisional Officer, Sadar Bankura and a copy of the representation dated 15th September, 2023 addressed to the chairperson of the Municipality to the aforesaid respondent at the time of communicating the order of the Court.

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.)