

ADSL1

19-11-2024

AKG

Ct. 15

WPA 27564 of 2024

Santosh Kumar Shaw

Vs.

Howrah Municipal Corporation & Ors.

Mr. Prasenjit Burman,
Mr. Swapnesh Mallik

...for the Petitioner

Mr. Sandipan Banerjee,
Mr. Ankit Surekha

...for HMC

A demolition order has been issued concerning the unauthorised construction at 116, Sadar Bakshi Lane, Post Office, Police Station, and District Howrah, PIN-711101. The petitioner asserts that he is the tenant residing on the second floor of the aforementioned building. He contends that the demolition order was issued without prior notice being given to him.

The learned advocate representing the Howrah Municipal Corporation argues that, as an occupier of the building, the petitioner is not entitled to notice under Section 177(1) of the Howrah Municipal Corporation Act, 1980.

The learned advocate for the petitioner prays for some time for the petitioner to secure an alternative residential accommodation.

In light of the above, I hereby dispose of this writ petition by restraining the Howrah Municipal Corporation from proceeding with the demolition of the unauthorised construction for a period of six months from the date of this order. After the expiration of six months, the demolition order will automatically revive, and the Corporation will be at liberty to enforce the same.

Accordingly, **WPA 27564 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.)