

26.11.2024  
Sl. No.161  
Ct. No.15  
S.A.

**WPA 28006 of 2024**

**M/S. City Developer**

**-vs-**

**Howrah Municipal Corporation & Ors.**

Mr. Biswaroop Bhattacharya

Mr. Sumitava Chakraborty

Ms. Bratati Pramanick

...for the petitioner

Mr. Sandipan Banerjee

Mr. Ankit Sureka

...for Howrah Municipal Corporation

Mr. Debjit Mukherjee

Ms. Susmita Chatterjee

...for the State

It appears that a stop work notice was issued under Section 177(1) of the Howrah Municipal Corporation Act, 1980 as against an alleged unauthorised construction at premises no.13/2, Kailash Bose, 3<sup>rd</sup> Bye Lane, Howrah-711101 by the Howrah Municipal Corporation.

The said stop work notice was followed by two subsequent show cause notices.

Mr. Biswaroop Bhattacharya, learned advocate appearing for the petitioner submits that the petitioner participated in the hearing and he made a representation for regularisation of the construction.

Learned advocate appearing for Howrah Municipal Corporation, on the other hand, submits that after hearing the petitioner, the Howrah Municipal Corporation has turned down the prayer for

regularisation of the construction and a direction has been passed for issuance of a notice of self-demolition.

The petitioner submits that he is not aware of such a notice.

In view of the aforesaid, there is no need to keep this writ petition pending.

The Corporation shall communicate the petitioner the outcome of the hearing within a period of seven days from date.

If the petitioner is aggrieved by such decision of the Corporation, it will be at liberty to challenge the same in accordance with law.

The Corporation shall not take any steps regarding the relevant construction unless and until the communication made in terms of this order.

The petitioner shall also not create any third party interest over the property.

Accordingly, **WPA 28006 of 2024** is disposed of.

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

**(Kausik Chanda, J.)**