

ML 101
29.04.2024
d.p.

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

W.P.A 27225 of 2023

**Gitika Pal
-versus
The State of West Bengal & Ors.**

**Mr. Raja Biswas,
Mr. Abhijit Sarkar.
...For the Petitioner.**

**Mr. Indranil Roy,
Mr. Tapas Kumar Mandal.
...For the State.**

**Mr. Achintya Kumar Banerjee,
Ms. Indumouli Banerjee.
...For the Municipality.**

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

The petitioner complains of non-consideration of the objection against unauthorized construction at the behest of the private respondents.

None appears for the private respondents.

Learned advocate appearing for the Ranaghat Municipality produces before this Court a notice issued under Section 218 of the West Bengal Municipal Act, 1993 on 21st March, 2024.

The Municipality has already passed order under Section 218 and directed the person responsible for making construction to demolish the backside of the

unauthorized portion as well as East and West side projected unauthorized cantilever within thirty days from the date of issuance of notice, failing which the Municipality will demolish the unauthorized portion and recover the expenses from the person responsible.

The parties are directed to act in accordance with the direction passed by the Municipality. In the event the unauthorized construction is not demolished within the time limit specified by the Municipality, then the Municipality shall take steps to demolish the same and recover the cost of demolition from the person responsible.

The enquiry report prepared by the Assistant Engineer, Ranaghat Municipality signed on 16th December, 2023 be retained with the records.

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.)