

Sl. No.161
10.12.2024
Suman
Ct. 15

WPA 29042 of 2024

Smt. Parbati Choudhary
Vs.
Howrah Municipal Corporation and Ors.

Mr. Sobhan Majumdar
..for the petitioner

Mr. Sandipan Banerjee

Mr. Ankit Sureka

..for Howrah Municipal Corporation

The petitioner challenges the demolition notice dated October 21, 2024, issued by the Howrah Municipal Corporation concerning the premises located at 77/19/2, Benaras Road, Howrah-711106.

The learned advocate representing the petitioner submits that the property in question belongs to her husband. However, the husband has since separated from the petitioner and is residing elsewhere. The petitioner currently occupies the property. It is contended that the demolition proceedings have been initiated without her knowledge.

In response, the learned advocate for the Howrah Municipal Corporation submits that the date

initially fixed for the demolition has passed, and consequently, a new demolition notice will be issued.

In my view, prior to the issuance of any new demolition notice, the petitioner should be provided an opportunity for a hearing.

In light of the above, this writ petition is disposed of with the direction that the Corporation shall not proceed with any further demolition actions regarding the subject property without affording the petitioner an opportunity for a hearing.

It is further clarified that the petitioner shall not create any third-party interests in the property during this period.

Accordingly, **WPA 29042 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.)