

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

W.P.A 28248 of 2023

**Dr. Santanu Goswami
-versus
The State of West Bengal & Ors.**

**Mr. Shibaji Kumar Das.
Mr. Dipendu Sarkar.
...For the Petitioner.**

**Mr. Triptimoy Talukder.
Mr. Abhiraj Tarafdar.
...For the Municipality.**

**Mr. Amitabha Ghosh.
Ms. Arpita Dhar.
... for the Private Respondent.**

Affidavit-of-service filed today be kept with the records.

The petitioner prays for implementation of the direction passed by the Chairman, Konnagar Municipality for demolishing an illegal construction, which is in the form of an electric meter room towards the house of the petitioner.

The meter room has allegedly being constructed without maintaining any proper open space.

The order of demolition appears to have been passed by the Chairman of the Municipality.

According to the provisions of Section 218 of the West Bengal Municipal Act, 1993, the Board of Councillors is the competent authority to pass the order of demolition.

Learned advocate representing the Municipality submits, upon instruction that, the matter will be placed before the Board of Councillors in the next meeting.

In view of the above, the writ petition stands disposed of directing the Konnagar Municipality to take necessary steps to deal with the unauthorised construction complained of. If required, assistance may be taken from the electricity service provider for the purpose of removal of the unauthorised construction.

Steps shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.

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.)