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28.02.2024
d.p.

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

W.P.A 28696 of 2023

**Natabor Samanta
-versus
Howrah Municipal Corporation & Ors.**

**Mr. Rahul Karmakar,
Mr. Sounak Mukherjee.
...For the Petitioner.**

**Mr. Suman Basu,
Ms. Debanwita Pramanik.
...For the Respondent No.7.**

**Mr. Sandipan Banerjee,
Mr. Ankit Sureka.
...For HMC.**

The report filed by the Howrah Municipal Corporation mentions that the subject buildings were constructed by Natabar Samanta devoid of any sanctioned plan.

The notice of self-demolition was issued on 14th December, 2023.

Pursuant to the order passed by the Court, joint spot inspection was conducted and it revealed that the building has been constructed without leaving the proper side spaces and without a proper sanctioned plan. Commercial activity has been found at the subject structure.

In view of the above, the instant writ petition is disposed of by directing the Howrah Municipal Corporation to take steps to deal with the unauthorized construction in accordance with law at the earliest.

As the structure in question has been found to be unauthorized, no commercial activity shall be permitted to run from the said premises. Trade License cannot be issued for conducting business from a structure which has been found to be unauthorized.

The Corporation shall take necessary steps to restrain the commercial activity which is being conducted from a structure identified to be unauthorized.

Exception filed by the petitioner to the report filed by the Howrah Municipal Corporation 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.)