

ML 85
06.05.2024
Ct. No. 15
adeb

W.P.A. 10468 of 2020

**Kanta Mondal
Vs.
Bidhannagar Municipal Corporation & Ors.**

Mr. Sanjay Mukherjee
...for the petitioner

Mr. Jagannath Ganguli
...for the respondent no. 11

Mr. Sirsanya Bandopadhyay
Mr. Tirthankar Dey
Mr. Arka Kr. Nag
...for the BMC

Affidavit-of-service filed on behalf of the petitioner
is taken on record.

The writ petition is heard in presence of the learned
advocates representing the petitioner, Bidhannagar
Municipal Corporation and respondent no. 11.

The grievance of the petitioner as it has been
submitted by the learned advocate is unauthorized
construction made by the respondent no. 11 on plot no.
RA-672, Shantinagar under Police Station-Bidhannagar
(south) within the jurisdiction of Bidhannagar Municipal
Corporation. Petitioner has prayed for taking necessary
steps against alleged unauthorised construction made
by the respondent no. 11.

Mr. Sirsanya Bandopadhyay, learned advocate
representing Bidhannagar Municipal Corporation has
placed before this Court order dated 7th June, 2023
passed by the concerned authority of Bidhannagar

Municipal Corporation in terms of the order dated 4th April, 2023 passed by the Hon'ble Division Bench on the writ petition being WPA (P) 2 (W) of 2020 and WPA 4364 of 2020. The said order dated 7th June, 2023 is taken on record.

On perusal of the said order dated 7th June, 2023 it appears that the authority of Bidhannagar Municipal Corporation has already taken decision that certain constructions made on plot No. RA-672/A are found to be unauthorised. Direction has already been given upon the occupiers/persons responsible to demolish such construction failing with appropriate steps to be taken by the concerned authority of Bidhannagar Municipal Corporation. However, the learned advocate representing the corporation submits that the issue is still pending before the Hon'ble Division Bench.

In view of the decision already taken by the concerned authority of Bidhannagar Municipal Corporation vide order dated 7th June, 2023 holding that the certain constructions made on plot No. RA-672, are unauthorised, no order need be passed on this writ petition. Accordingly, writ petition stands disposed of.

Liberty is granted to the parties to this writ petition to approach the Hon'ble Division Bench in connection with the pending writ petitions being WPA (P) 2 (W) of 2020 and WPA 4364 of 2020.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)