

21.01.2025
Sl. No. 163
AKG
Ct. 15

WPA 511 of 2025
Sri Basudeb Chatterjee & Ors.
-vs-
Howrah Municipal Corporation & Ors.

Ms. Baisali Ghoshal	...for the Petitioners
Mr. Sandipan Banerjee,	
Mr. Ankit Sureka	
	...for HMC
Mr. Bhudeb Bhattacharya	
	...for Respondent No. 6

It is undisputed that the petitioners obtained a sanctioned plan from the Howrah Municipal Corporation for a two-storied building. However, the Corporation has initiated proceedings for the demolition of certain alleged unauthorised portions of the building which are beyond the sanctioned plan.

The Corporation, before this Court, submits that the unauthorised construction measures approximately 180.65 sq. ft. on each floor.

The petitioners, however, have submitted an "as-made" plan before the Corporation for consideration in relation to the building.

Mr. Bhudeb Bhattacharya, learned senior advocate appearing for respondent No. 6, contends that the construction in question encroaches upon a portion of land owned by respondent No. 6.

Considering that the extent of the unauthorised construction, I am of the view that the regularisation of the same should be considered by the Howrah Municipal Corporation in accordance with law.

Accordingly, this writ petition is disposed of with a direction to the Howrah Municipal Corporation to consider the petitioners' prayer for the "as-made" plan within two months from the date of communication of this order, after providing an opportunity for a hearing to the petitioner. The Corporation shall also provide an opportunity for hearing to respondent no.6 and duly consider the objections raised by respondent no.6.

Until such consideration is made, the Corporation shall not proceed with any demolition work concerning the relevant construction.

Accordingly, **WPA 511 of 2025** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)