

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

205 27.2.2025
Sc Ct. no.15

WPA 869 OF 2025

Dr. Debotosh Sen Purkayastha

Vs.

The State of West Bengal & Ors.

Mr. Ashit Chakraborty
Mr. Bodhiswatta Chakraborty
Mr. Jagajyoti Guha

.... For the Petitioner

Mr. Ankit Sureka
Mr. Biplab Das.

.... For the Respondent
No.2

Mr. Sourabh Sengupta

.... For the Respondent
Nos.3 & 4
(Appears through VC)

The petitioner, a member of Navadarsha Co-operative Housing Society Limited has filed this writ petition challenging an order dated August 6, 2024 appearing at page 37 to the writ petition. The order impugned dated August 6, 2024, passed by the Deputy Registrar of Co-operative Societies, Barasat, North 24-Parganas, makes it clear that he has passed a self demolition order in respect of a building constructed by the petitioner without hearing him on the ground that it is in violation of the sanctioned building plan, issued by the relevant municipality.

Nothing more needs to be said to set aside the order impugned dated August 6, 2024 and, accordingly, the same is set aside.

The petitioner shall be at liberty to proceed with the construction in terms of the sanctioned plan granted by the concerned municipality.

If there is any violation of sanctioned plan, the Society will be at liberty to file a complaint before the concerned municipality and the municipality will take steps in accordance with law.

W.P.A. 869 of 2025 is allowed.

There will be no order as to costs.

Photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all necessary formalities.

(Kausik Chanda, J.)