

06. 24.11.2025
Court No.03.
(Pritam)

WPA 1002 of 2024.

Abani Rana.

-Vs.-

State of West Bengal & Ors.

Mr. Asis Bhattacharyya.

....for the petitioner.

Mr. Nabhajit Prasad Basu,
Mr. Arindam Mitra.

...for the State.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka.

.....for the HMC.

1. Complaining illegal and unauthorized construction over a water body without obtaining any sanctioned building plan from Howrah Municipal Corporation, the private respondent, namely, Subrata Samanta had filed a writ petition, which subsequently was registered as WPA 11950/2023. By an order dated 13th September, 2023, a Co-ordinate Bench of this Court was, *inter alia*, pleased to dispose of the writ petition by issuing directions upon the municipal authorities to take steps pursuant to the complaint against such unauthorized construction and dispose of the same in accordance with law.
2. In furtherance to the above, the municipal authority appears to have carried out an inspection and a hearing was also conducted and following the above,

an order dated 6th January, 2024 was passed, directing the person responsible being the petitioner herein to demolish the unauthorized construction at Dag No.687 & 682(p), Mouza-Balitikuri, Khatian No.15999, Ward No.50 within Howrah Municipal Corporation.

3. Challenging such order of demolition, the writ petition has been filed. Learned advocate representing the petitioner would submit that the direction for demolition is, in fact, in respect of a guard-wall which is only required to protect the petitioner's property.
4. Mr. Banerjee, learned advocate representing the Howrah Municipal Corporation has however, drawn attention of this Court to the statements made in paragraph no. 3 of the writ petition. According to him, the petitioner has admitted the illegal construction and admittedly, there is no sanctioned building plan and accordingly, the demolition order dated 6th January, 2024 was issued.
5. Having heard the learned advocates appearing for the respective parties and noting that the petitioner himself has admitted the illegal and unauthorized construction and since there is no sanctioned building plan for construction of the above structure, I am of the view that there is no scope of any interference.

6. The writ petition is dismissed accordingly.

(Raja Basu Chowdhury, J.)