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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 1472 of 2025

Dipten Nag Chowdhury
@ Dipten Kumar Nagchowdhury
Versus
The State of West Bengal & Ors.

Mr. Sounak Bhattacharya
Mr. Sounak Mondal
Mr. Anirban Saha Roy
Ms. Bipasha Bhattacharya
... For the petitioner.

Mr. Sayan Sinha
Mr. Adil Naser
... For Baruipur Municipality.

1. Affidavit of service filed in Court is taken on record.
2. The petitioner would complain illegal construction at the behest of the private respondent nos. 6 and 7.
3. Mr. Sinha, learned advocate appears on behalf of the Baruipur Municipality. The private respondents are not represented.
4. Mr. Sinha would, however, contend that he is yet to receive any instruction in this matter.
5. Having heard the learned advocates appearing for the respective parties and noting that the petitioner claims to be an owner in respect of a plot situate at Mouza – Baruipur, J.L No.31, R.S. Dag No. 298/5310, District – 24 Parganas (South) within the jurisdiction of Baruipur Municipality and would complain that an unauthorized construction is going on in the adjacent

plot, being R.S. Dag No. 298/5310 in respect of the land which is classified as danga, I am of the view that it shall be prudent at this stage to direct the municipal authorities to carry out an inspection of the locale and if any illegal construction is noted, initiate appropriate proceedings as may be necessitated for the purpose of not only arresting future illegal construction but also to ensure the violations are appropriately addressed and to bring such proceedings to a logical conclusion.

6. It is made clear that this Court has not expressed any opinion with regard to the nature of construction that may have come up on the plot in question. The municipal authorities shall, being uninfluenced by any of the observations made hereinabove, decide on the issue of illegal construction by giving an opportunity of hearing the parties interested. It is expected that the proceedings shall be concluded within a period of eight weeks from the date of communication of this order by passing a reasoned order.

7. With the above observations and directions, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)