

08.07.2025
Sl. No.6
akd

W. P. A. 2071 of 2025

[Smt. Ranjana Das -Vs- The Howrah Municipal Corporation & Ors.]

Mr. Tanmay Mukherjee
... .. for the petitioner

Mr. Arun Kumar Maiti (Mohanty)
Mr. R. R. Mohanty
Ms. Snigdha Ghosh
Ms. Puspita Chowdhury
Ms. Rajorna Mazumder
... .. for respondent no.5

Mr. Sandipan Banerjee
Mr. Ankit Sureka
... .. for the HMC

1. The petitioner has preferred the present writ petition, being aggrieved by the inaction of the respondent-Howrah Municipal Corporation in failing or refusing to take appropriate action against the illegal and unauthorized construction carried out at premises No. 248, Panchanantala Road, P.S. & Dist. Howrah, at the instance of the private respondent no. 5.
2. It is the case of the petitioner that the private respondent no. 5 is carrying out illegal and unauthorized construction in the nature of addition of floor to the already existing two-storied structure, without obtaining any valid sanctioned building plan. The petitioner further states that the private respondent no. 5 is carrying out another set of unauthorized construction in the open space at the back side of the flat without obtaining any sanctioned plan, which is in absolute contravention of the building by-laws and the mandatory requirements as per the building regulations.
3. Learned Advocate for the private respondent no. 5 submits that his client has not carried out any unauthorized

construction and that the construction is in accordance with a valid sanctioned building plan.

4. Learned Advocate for the respondent-Howrah Municipal Corporation submits that the authorities are ready and willing to consider and decide the representation of the petitioner dated 26.11.2024.

5. In view of the submission made by the learned Advocate for the respondent-Howrah Municipal Corporation, learned counsel for the petitioner submits that his client shall be satisfied if the respondent-Corporation decides her representation dated 26.11.2024 in a time bound manner.

6. Accordingly, this Court directs the Assistant Engineer, (in-charge of the Building Department), Howrah Municipal Corporation (respondent no.3) to decide the representation of the petitioner dated 26.11.2024 and pass a reasoned order strictly in accordance with law within a period of eight weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner as well as the private respondent no. 5.

7. With the aforesaid directions, the present writ petition is disposed of.

8. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

9. There shall be no order as to costs.

10. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)