

19.12.2025
sayandeep
Sl. No. 17
Ct. No. 03

WPA 1996 of 2024

Haradhan Adhikari
Vs.
The State of West Bengal & ors.

Mr. Soumya Ray
Mrs. Anwesha Saha
Mrs. Sarita Sinha
Mr. Pramit Panda
.....for the petitioner
Mr. Gobinda Chandra Bandyopadhyay
Mr. Sourav Goswami
..... for the municipality
Ms. Priya Ghosal
..... for the respondent Nos. 6 & 7

1. The petitioner claims to have acquired interest in plot No. 1785(14 decimals in Khatian 934 and 13 decimals in Khatian 935 aggregating to 27 decimals) in terms of the mutual partition deed dated 24th February, 1982. According to the petitioner, the private respondent was originally a co-owner in respect of the above property prior to the partition. He has since started constructing on his property without any valid sanctioned plan and has also encroached upon the petitioner's property.
2. The private respondent is represented by Ms. Ghosal. She has placed before this Court a sanctioned building permit dated 4th August, 2023 pertaining to Mouja-Burikhali JL No. 02, Plot No. 1785 (R.S), 1618 (L.R.) Khatian No. 5052 & 5053 (L.R.), Ward No. 06, Holding No. 523/422/445/240 & 523/422A/445A/240A,

Under Uluberia Municipality, P.S. Bauria, Dist-Howrah, PIN 711310. Let a copy of the plan as placed before this Court be taken on record.

3. The municipal authority is also represented.
4. Having heard the learned advocates appearing for the respective parties and noting that the petitioner would complain of illegal construction and though sanctioned building plan is in place, however, since the petitioner alleges that the private respondent may have encroached upon the petitioner's land, I am of the view that the municipal authority should carry out an inspection in the property in question upon prior notice to the interested parties. If on the basis of the inspection, it is found, the construction is continuing in terms of the sanctioned building plan, no further steps shall be taken. On the contrary, if any violations are noticed, appropriate steps shall be taken, without entering into any private dispute.
5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)