

08.12.2025
Sl. No. 24
Ct No. 3
tkm

WPA 2335 of 2024

**Buddhadev Dhara
Vs
State of West Bengal & Ors.**

Mr. P C Mandal
Mr. S Purkait
Mr. S Chatterjee
Mr. D Mondal
... for the petitioner

Mr. Monoj Malhotra
Mr. Ziaur Rahaman
... for the State

Mr. S M Hassan
Ms. Anupama Yasmin
...for Haldia municipality

1. Complaining the failure on the part of the municipal authorities to demolish the unauthorized building constructed at plot no. 894, Khatian no. 179, JL no. 156, Mouza Barghasipur under P.S Bhabanipur in the district of Purba Medinipur, the present writ petition has been filed.
2. Learned advocate representing the petitioner by drawing attention of this court to a communication/notice dated 6.4.2018 submits that though on the basis of the petitioner's complaint, a hearing took place on 10.4.2018, however, the outcome thereof has not been communicated to the petitioner.
3. Learned advocate for the municipality however, contends that the dispute raised by the petitioner is a private dispute between the petitioner and the respondent nos. 8 and 9.
4. While responding to a query from the court, he however clarified that to his knowledge, no plan has

been sanctioned for construction on the aforesaid property by the private respondents.

5. Having heard the learned advocates for the respective parties, I find that a Title Suit being TS 119 of 2022 is pending between the private parties in the court of learned Civil Judge (Sr. Div.) Haldia. There is a subsisting order of injunction in the said matter.

6. I find that the vice chairman of the municipality has already embarked upon an enquiry and has issued the notice dated 6.4.2018. Though the private respondents are not represented despite service, I am of the view it would be prudent at this stage to direct the municipality to conclude the proceeding initiated vide notice dated 6.4.2018 at the earliest but not later than 12 weeks from the date of communication of the order, upon giving an opportunity of hearing to the interested parties and by deciding the same in accordance with law by passing a reasoned order. The order must be communicated to the parties.

7. With the above direction, the present writ petition is disposed of.

(Raja Basu Chowdhury, J.)