

23.04.2025
Sl. No.1
akd

W. P. A. 2670 of 2025

[Sukumar Roy Chowdhury & Anr. -Vs- The State of West Bengal & Ors.]

Mr. Subhayan Barik
Ms. Ananya Mondal

... .. for the petitioners

Mr. Sirsanya Bandyopadhyay
Mr. Arka Kumar Nag
Mr. Tirthankar Dey

... .. for the BMC

1. Petitioners have filed the present writ petition seeking demolition of illegal and unauthorized construction raised over their land being J.L. No. 17, Re. SA No. 349, Touzi No. 228/229, R.S. Dag No. 349 appertaining to R.S. Khatian No. 405 under Bidhannagar Municipal Corporation Ward No. 18, Block – A, Hatiara, Krishnapur, P.S. Baguiati, Dist. North 24-Parganas.
2. It is the case of the petitioners that they are the absolute owners of the land in question. With an intention to develop their land, they had entered into a development agreement dated 07.10.2020 with the private respondents. However, the private respondents without obtaining necessary permission from the respondent-Bidhannagar Municipal Corporation started raising unauthorized construction of a multi-storied building over the said land. Petitioners have preferred a representation dated 11.12.2024 before the respondent-BMC to take necessary steps so that the illegal construction can immediately be stopped and the existing legal construction can be demolished in accordance with law. Despite such representation no substantive action has been taken by the Corporation authorities to address the grievance of the petitioner.

3. Learned Advocate for the respondent-Bidhannagar Municipal Corporation submits that the authorities are ready and willing to decide the representation of the petitioners dated 11.12.2024.

4. In view of the submission made by the learned Advocate for the respondent-Bidhannagar Municipal Corporation, petitioners submit that they will be satisfied if the respondent-Corporation decides their representation dated 11.12.2024 in a time bound manner.

5. Accordingly, this Court directs the respondent-Bidhannagar Municipal Corporation to decide the representation of the petitioners dated 11.12.2024 and pass a reasoned order within a period of twelve weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioners as well as all other private respondents.

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

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

8. There shall be no order as to costs.

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

(Gaurang Kanth, J.)