

16.05.2025
Sl. No. 05
Ct No. 3
SG

WPA 3219 of 2025

**Sayeeda Aslam
Vs
The State of West Bengal & Ors.**

Mr. Simanta Kabir,
Mr. Avik Pramanick.
...for the petitioner

Ms. Sonal Sinha,
Mr. Sandipan Das.
...for HMC

Mr. Gausul Alam,
Mr. Subroto Ghosh.
...for state respondent

1. The petitioner had challenged the unauthorized construction of building at 43/48/1 Jaya Bibi Road, P.O. – Ghusuri, P.S. – Malinpanchghora, Dist. Howrah, allegedly undertaken by the private respondent nos. 7 to 10.

2. Learned Counsel for the respondent-Howrah Municipal Corporation, Ms. Sinha, has filed a report affirming that the private respondents indeed erected a G+2 storied building at the said premises without obtaining any sanctioned plan from the competent authority. It is further submitted that upon due inspection, a show-cause notice under Section 177 of Howrah Municipal Corporation Act was duly served upon the private respondents on 05.02.2025, affording

them an opportunity of personal hearing on 15.02.2025.

3. During the course of the said hearing the private respondents have admitted their act of such unauthorized construction. Consequently, a Self-demolition notice was issued to the private respondents on 09.03.2025. However, as the private respondents failed to comply with such notice, the authorities of Howrah Municipal Corporation, in discharge of the statutory obligations, undertook demolition proceedings, which was duly executed on 15.05.2025.

4. The learned Counsel for the respondent-Howrah Municipal Corporation further submits that the demolition of the unauthorized structure, as identified in the course of the said proceedings, has been duly executed in accordance with law.

5. The learned counsel for the petitioner does not dispute the factual assertions advanced by the corporation and has submitted that the petitioner is satisfied with the action taken by the respondent authorities, as the grievance raised in the present writ petition stands redressed.

6. In light of the above factual matrix and having regard to the submission of both the parties, this Court

is of the considered view that no cause of action now survives for further adjudication in the present writ petition, as the subject matter of grievance has already been adequately addressed by the respondent-Howrah Municipal Corporation through the demolition of the impugned unauthorized structure.

7. Report is kept on record.
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.)