

23.04.2025
Sl. No.5
akd

W. P. A. 3699 of 2025

[Debabrata Bhattacharjee -Vs- The State of West Bengal & Ors.]

Mr. Anit Dey

... .. for the petitioner

Mr. Achintya Kumar Banerjee

Ms. Indumoi Banerjee

... for Ranaghat Municipality

Mr. Susanta Kumar Mukherjee

Mr. Arun Kumar Saha

... .. for the State

1. Petitioner has filed the present writ petition alleging unauthorized construction at 58, Rabindra Sarani, P.S. Ranaghat, Dist. Nadia at the instance of private respondent nos.6 to 8.

2. It is the case of the petitioner that he is the co-sharer in the said property. The dispute between the parties is private in nature. As the allegation of unauthorized construction was raised before this court, this Court had directed the respondent-Ranaghat Municipality to conduct an inspection and file a report.

3. Report filed on behalf of the respondent-Ranaghat Municipality is taken on record. Report reveals that there is no unauthorized construction which is being carried out. The nature of construction which is being carried out is in the form of repairs. No illegal construction is being done on the said property.

4. In view of the said report, this Court does not wish to pass any further order since the dispute between the parties is civil in nature and the allegation of unauthorized construction is found to be without any merit.

5. Accordingly, the present writ petition is dismissed.
6. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.
7. Report filed by the State-respondents is taken 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.)