

26.03.2025
Sl. No. 115
Ct No. 3
SG

WPA 4120 of 2025

**Ashoke Chatterjee
Vs
The State of West Bengal & Ors.**

Mr. Ashim Kr. Routh,
Mr. Subhayan Barik,
Ms. Ananya Mondal.
...for the petitioner

Ms. Sabnam De Bardhan,
Ms. Pratiti Das.
...for the State

Mr. Sirsanya Bandopadhyay,
Mr. Arka Kr. Nag,
Mr. Tirthankar Dey.
..for BMC

1. Report filed by the State is taken on record.
2. The petitioner has preferred the present writ petition seeking a direction upon the respondent-corporation for the demolition of an alleged illegal unauthorized construction being carried out at property no. RH-15, Raghunathpur, P.O. Raghunathpur, P.S. Baguihati, Kolkata – 700059.
3. Learned Counsel for the petitioner states that his neighbour is carrying out illegal and unauthorized construction on the abovementioned property. It is his contention that despite several representation and complaints made before the concerned authority, no action has been taken. It is further submitted by the learned Counsel for the petitioner that by a notice

dated 14.01.2025, the Executive Engineer of Bidhannagar Municipal Corporation directed the private respondents to stop their construction works immediately and to produce the valid documents in support of their construction. Despite the same the private respondents did not stop their illegal construction and further proceeded with such construction.

4. Learned Counsel for the respondent-State submits that the private respondents were arrested and had been released on bail.

5. Learned Counsel for the respondent-Bidhannagar Municipal Corporation states that work stop notice was given on 14.01.2025 and copy of the same has forwarded to the local area police station.

6. It is hereby directed that the Officer-in-Charge of the concerned Police Station shall act upon the work stop notice and shall take necessary action in accordance with law if there is any violation of the said notice.

7. Learned Counsel for the respondent-Bidhannagar Municipal Corporation submits that they are ready and willing to decide petitioner's representation dated 11.02.2025.

8. In view of such submission, learned Counsel for the petitioner states that his client shall be satisfied if his representation is decided in a time bound manner.

9. This Court directs respondent no. 3, The Commissioner, The Bidhannagar Municipal Corporation, to decide the petitioner's representation dated 11.02.2025 within a period of four weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner as well as the private respondents.

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

11. There shall be no order as to costs.

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

(Gaurang Kanth, J.)