

27.03.2025
Item No.10
RP/SM
Ct. No.01

WPA(P) 72 of 2025
Sumita Shyamal
Vs.
The State of West Bengal & Ors.

Mr. Wasim Khan
Ms. Neelam Kumari

....For Petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka

....For Howrah Municipal Corporation

Mr. Jahar Lal De
Mr. Sourav Chowdhury

....For State

Mr. Shibaji Kumar Das
Ms. Nilanjana Sarkar

....For Respondent Nos.7,8 & 9

1. The petitioner by way of filing this public interest litigation alleges that the private respondent has put up illegal and unauthorized construction and in spite of stop work notice issued by the Howrah Municipal Corporation no further action has been taken. From annexure P-5 appearing at page 34 of the writ petition it is seen that a field enquiry was conducted by the Officer-in-Charge, Town Survey Unit on 12.02.2025. The petitioner alleges that despite that no action has been taken. Learned advocate appearing for the petitioner submitted that the petitioner was also called for in the hearing and she attended the hearing but no further action has been taken.

2. In spite of service of notice on the private respondent, none appeared on behalf of him.
3. Learned advocate appearing for the Howrah Municipal Corporation submitted that after the hearing it was found that inspection is to be conducted and thereafter action will be taken in accordance with law. The submission made on behalf of the Howrah Municipal Corporation is placed on record.
4. In the aforesaid facts and circumstances, we direct the Assistant Engineer-in-Charge, Building Department, Howrah Municipal Corporation to inspect the premises in question on 10th April, 2025 after issuing notice to the petitioner as well as the respondent no.9 and thereafter the municipal authority shall proceed to take action in accordance with law.
5. With the above direction, this writ petition is disposed of.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)