

27.08.2025
SL No.4
Court No.41
S.Gayen/
Rup

WPA 6319 of 2025
Manashi Ghosh & Ors.
Versus
The State of West Bengal & Ors.

Ms. Reshmi Ghosh
Ms. Parna Mukherjee
...for the Petitioners

Mr. Amitabha Ghosh
...for the Private Respondents

Mr. Dipak Kumar Mukherjee
Mr. Rajib Mukherjee
Ms. Shreyasi Bhaduri
...for the Uttarpara Kotrong Municipality

Mr. Srijan Nayak
Ms. Rituparna Maitra
...for the State

1. This is the second round of litigation between the parties.
2. The grievance of the petitioners is primarily directed against the unauthorized and illegal construction by the private respondent in respect to a portion of LR Plot No. 376 (pond) and entire LR Plot No. 377 of Mouza- Uttarpara, JL No.12 under Uttarpara Police Station, District- Hooghly within the limits of Ward No. 20 of the Uttarpara Kotrong Municipality.
3. By an earlier order dated 19th November, 2024 passed in WPA 7893 of 2024, a Coordinate Bench disposed of the writ petition with a direction to the concerned Municipality to render a final decision regarding the alleged unauthorized construction. Pursuant to the

above, the Municipality has issued a letter dated 5th December, 2024, *inter alia*, finding that the private respondent was guilty of unauthorized and illegal construction at the subject premises.

4. Notwithstanding lapse of more than six months, the Municipality has failed to take any steps in the matter.
5. It is submitted on behalf of the petitioners that post filing of the writ petition, the Municipality has issued a letter dated 22nd March, 2025, *inter alia*, directing for demolition of the unauthorized and illegal construction. A copy of the said letter has handed over to the Advocate for the Municipality and the same is kept with the records.
6. The Municipality is represented and does not oppose the submission made on behalf of the petitioners.
7. The private respondent is also represented and submits that no copy of the order has been served on them till date.
8. Be that as it may, in view of the order dated 22nd March, 2025 directing for demolition, the concerned Municipality, i.e. the respondent Nos. 2, 3 and 4 are directed to implement the order dated 22nd March, 2025 for demolition of the subject premises.
9. In carrying out the above order for demolition the respondent No.5, police is directed to give all necessary assistance in accordance with law.

10. The above direction will not prejudice the statutory right of the private respondent, if any.
11. In view of the long delay in the matter, the Municipality is directed to act expeditiously in terms of the above directions.
12. The State Authority is represented and submits that the Police Authority will provide all necessary assistance in accordance with law.
13. The above exercise is to be completed within three weeks from the date of communication of this order.
14. With the above directions, **WPA 6319 of 2025** stands **disposed of**.
15. A copy of the order dated 22nd March, 2025 has handed over to the Advocate for the private respondent.
16. All parties shall act on a server copy of this order duly downloaded from the official website of this Court.

(Ravi Krishan Kapur, J.)