

**125 22.07.
2025**

**Ct. No.
07**

Ab

WPA 7654 of 2023

Mr. Tushar Gupta

Vs.

The State of West Bengal and others.

**Mrs. Rita Sinha,
Mrs. Tapati Samanta.
... for the petitioner.**

**Mrs. Sipra Majumdar,
Ms. Sangeeta Roy.
... for the State.**

**Mr. Mir Anuruzzaman,
... for the Municipality.**

1. The present writ petition has been filed alleging inaction on the part of the concerned Municipality in removing the temporary structure erected by respondent no. 6, from which respondent no. 6 was operating a snacks business.
2. By an order dated 25th June 2025, this Court directed the Municipality to submit a report indicating whether Respondent No. 6 had encroached upon land owned by the Municipality without obtaining prior permission from the competent authority. The Municipality was further directed to state in the report whether appropriate action had been initiated for the removal of such encroachment.
3. During the course of today's hearing of the present writ petition, Mr. Mir Annurazzaman, learned Advocate appearing on behalf of the Municipality, submitted a report indicating that Respondent No. 6 has already demolished the unauthorized structure and removed it both from the petitioner's boundary wall and from the

municipal road, namely Dwarir Road. The report submitted by Mr. Mir Annurazzaman is taken on record.

4. Mrs. Rita Sinha, learned Advocate representing the petitioner, submits that other persons, who are also encroaching upon land belonging to the Municipality, are running various types of businesses, and the Municipality is not taking appropriate steps to remove such unauthorized encroachers.
5. This fact is not the subject matter of the present writ petition. However, it is expected that the Municipality shall not allow any person or authority to encroach upon any part or parcel of its land, nor permit anyone to utilize land belonging to the Municipality for their personal purposes.
6. As the grievances ventilated in the present writ petition have been redressed, nothing further needs to be decided in the present writ petition.
7. Accordingly, the writ petition is disposed of.
8. There shall, however, be no order as to costs.

(Partha Sarathi Chatterjee, J.)

