

19. **24.11.2025**
 Court No.03.

 (Pritam)

WPA 8562 of 2025.

Arup Kumar Dutta & Anr.

-Vs.-

The State of West Bengal & Ors.

Mr. Kausik Gupta, Sr. Adv.,
Mr. Shraman Sarkar.

....for the petitioners.

Mr. Arindam Das,
Ms. Dibyanjona Das.

...for the municipality.

1. The petitioners claim to be the owners in respect of premises no.24/2, Nrisinghadev Ghat Lane, Khagra, Berhampore, Murshidabad, in respect of a two-storied building.
2. The petitioners would complain that though the above building is very old and in dilapidated condition and though a notice dated 24th September, 2019 had been issued by the municipal authorities directing the petitioners to take precautionary measures in respect of the above building, the petitioners could not do so. The petitioners would insist that the aforesaid property should be demolished.
3. The learned advocate for the petitioners is, however, candid enough to admit that the building is occupied

by tenants, who are at present residing in the aforesaid premises.

4. Incidentally, none of such tenants have been made parties in the present writ petition, as such I am of the view that there is no scope to pass an order in the instant writ petition without notice to the tenants. No prayer has also been made by the petitioner to add the tenants as parties. As such, I am not inclined to entertain this petition at this stage, though the above order shall not stand in the way of the municipal authorities to act in accordance with law for ensuring public safety.
5. With the above observations, the writ petition stands dismissed, leaving it open to the petitioners to apply afresh in accordance with law, if so advised.

(Raja Basu Chowdhury, J.)