

17.06.2025
Court No.13
Item No. 19
sp

MAT 631 of 2025
With
CAN 1 of 2025
Manju Gupta & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Souradipta Banerjee,
Mr. Uttam Shaw,
Ms. Fatima Hassan.

..for the appellants.

Mr. Jyoti Prakash Chatterjee,
Ms. Sreejita Sen,
Ms. Snehaa Sanyal.

..for the respondent no. 12.

Mr. Tapas Kr. Ghosh,
Mr. Tanmoy Chowdhury.

..for the respondent nos. 7 to 10.

1. The instant appeal is directed against the order dated 4th April, 2025 passed in WPA 3767 of 2025. The writ petition was filed by the private respondent herein alleging that the appellants made unauthorized construction within his premises.

2. Learned counsel for the appellants would argue that the construction was made as per sanction plan issued by the Hooghly-Chinsurah Municipality.

3. Before the Single Bench, an inspection report of an officer of the Municipality was placed which indicated several deviations made by the appellant while effecting construction on the property in question.

4. Based on the above, the Single Bench directed the Municipality to take steps against the petitioner. A notice of hearing was issued to the petitioner by the Municipality. Adjournment whereof was sought by the appellants on the ground of pendency of the instant appeal.

5. This Court is of the view that the impugned order cannot be faulted and the appellants are not seriously prejudiced at this stage. He was called for a hearing by the Municipality to explain his stand.

6. In that view of the matter, this Court directs the Hooghly-Chinsurah Municipality to fix an early date and notify the appellants and the private respondent/writ petitioner. The parties shall appear on the said date of hearing and place his case.

7. Let an appropriate order within the West Bengal Municipal Act be passed by the appropriate authority within the Hooghly-Chinsurah Municipality, dealing with the petitioner's representation in accordance with law.

8. Let all consequential steps thereafter as to the Municipality Act be taken by the Chairman of the concerned Municipality and/or his officers designated in that behalf.

9. With the aforesaid observations MAT 631 of 2025 along with CAN 1 of 2025 shall stand disposed of.

10. Time for the Municipality to complete the aforesaid is extended by a period of 2 months from date.

11. There shall be no order as to costs.

12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)