

18-09-2025
Item no.191
Subrata
Bhattacharyya
AR(C)

In the High Court at Calcutta
Special Civil Jurisdiction
Appellate Side

CPAN No.730 of 2024
Arabinda Halder
-vs-
Dr. Pallav Das
arising out of
WPA No.22158 of 2023

Mr. Mrinal Kanti Ghosh
Mr. Chandra Nath Sarkar ...for the petitioner

Mr. Mir Anuruzzaman ...for the contemnor

1. The petitioner submits that despite detection of unauthorized construction, the Rajpur-Sonarpur Municipality has not taken steps to demolish the same.
2. Learned counsel for the municipality relies upon a notification being No.137/UMDA-15011(99)/15/2025-LS-MA-SEC dated February 11, 2025 published by the Urban Development & Municipal Affairs Department, Government of West Bengal and submits that the private respondent who is the person responsible for making unauthorized construction has applied for regularization of the same. No decision has been taken by the municipality in response to the prayer for regularization till date.
3. As it appears that the municipality is yet to pass any order of regularization, accordingly, the municipality ought to have taken necessary steps for demolition of the unauthorized construction that has been detected.

4. It will be open for the petitioner to seek execution of the order of demolition before the competent forum in accordance with law, if so advised.
5. The contempt application stands disposed of.
6. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
7. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]