

04.11.2025  
Ct. 3  
Item No.  
A 7  
Saswata

**WPA 12417 of 2025**  
**Debabrata Mazumder**  
**Versus**  
**Howrah Municipal Corporation & Ors.**

Mr. Dhananjay Nayak

... For the petitioner

Mr. Swapan Banerjee

Mr. Diptendu Narayan Banerjee

Mr. Supriya Majumder

... For the HMC

Mr. Ayan Banerjee

Ms. Debasree Dhamali

Ms. Riya Ghosh

Ms. Debolina Ghosh

...For the Bally Municipality

1. The matter pertains to illegal construction in respect of holding no. 11/4 Raj Krishna Kumar Street, Belur, Howrah – 711202.
2. The petitioner claims to be a co-sharer in respect of the aforesaid property. The petitioner contends that the aforesaid property is covered by the provisions of the West Bengal Municipal Act, 1993 (hereinafter referred to as the “said Act”). According to the petitioner the respondent no. 1 has been carrying on illegal construction on a portion of the above plot which prompted the petitioner to lodge a complaint with the Municipal authorities on 2<sup>nd</sup> June 2025.
3. Records reveal that on the basis of the complaint lodged by the petitioner, the Municipal authorities have since initiated a proceeding and had issued a notice under Section 220(1) of the said Act.
4. Having heard the learned advocates appearing for the respective parties, I find that though the private

respondent no. 1 is not represented, the grievance of the petitioner was limited to the failure on the part of the Municipal authorities to take steps for demolition of the unauthorized construction. Since, in the instant case, steps have already been taken by the Municipal authorities, in my view no fruitful purpose will be served in keeping the writ petition pending.

5. In view thereof, I direct the Municipal authorities to conclude the proceeding and bring the same to a logical conclusion as expeditiously as possible. The respondents/municipality must ensure that no further illegal construction is carried out in the meantime.
6. With the above direction and observation the writ petition is disposed of.
7. All parties shall act on the basis of the server copy of this order duly downloaded from this Court's official website.

**(Raja Basu Chowdhury, J.)**