

DL 204
18.09.2025
chanchal

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**CPAN 854 of 2024
In
WPA 11027 of 2022**

**Sailesh Chandra Dey
-versus
Smruttranjan Mohanty & Anr.**

**Mr. Pinaki Ranjan Mitra
... for the petitioner**

**Mr. Sandipan Banerjee
Mr. Ankit Surekha
... for the HMC.**

1. Affidavit of service filed in Court today is taken on record.

2. Learned advocate for the petitioner submits that there has been part compliance of the order passed by the Court.

3. The tin structure at the top of the construction has been demolished. The other unauthorized construction, however, has not been demolished till date.

4. Learned advocate representing the HMC/Contemnor relies on a report filed by the Assistant Engineer, Borough-VII, Howrah Municipal Corporation signed on 7th February, 2025 which mentions about the permission to retain unauthorized construction subject to payment of fine. The retention fees have been paid.

5. As it appears that a portion of the unauthorized construction has been permitted to be retained by the Corporation on payment of the retention fees it will be open for the petitioner to challenge such

action of the Corporation before the appropriate forum in accordance with law, if so advised.

6. There is no requirement of proceeding with the contempt application any further.

7. The contempt application stands disposed of.

8. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)