

18.06.2025
Sl. No.01ADSL
Ct. No.15
Suman

WPA 13416 of 2025

HPA Transtrade Private Limited and Anr.
Versus
The State of West Bengal and Ors.

Mr. Subhrangsu Panda
Ms. S. Bose
Mr. Goutam Dinda
Mr. Sumitava Chakraborty
Mr. Ratul Ghosal
..for the petitioners

Mr. Raghunath Chakraborty
..for Maheshtala Municipality

I find substance in the submission advanced by learned counsel for the petitioners that the impugned demolition order dated December 16, 2024, is self-contradictory.

By the same order, the petitioners were called upon by the Maheshtala Municipality to produce certain documents in relation to the alleged unauthorised construction. Simultaneously, the petitioners were also directed to demolish the alleged illegal construction.

In light of the above, the Municipality has failed to demonstrate any justification for simultaneously issuing an order seeking production of documents and an order directing demolition.

Accordingly, the Maheshtala Municipality is directed to afford the petitioners an opportunity of hearing and to permit them to produce the documents referred to in the

demolition notice dated December 16, 2024, along with any other relevant documents to justify the construction undertaken by them, within a period of two weeks from the date of communication of this order.

The Municipality shall thereafter grant the petitioners a fresh opportunity of hearing and pass a reasoned decision within a period of two months from the date of communication of this order.

The communication dated December 16, 2024, stands set aside.

It is clarified that the Municipality shall consider the matter independently and in accordance with law.

Accordingly, **WPA 13416 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)