

21.01.2025
A 1636
Ct. No.15
S.A.

WPA 15933 of 2024

Faiyaz Ahmed & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Tanmoy Mukherjee

Mr. Golam Mustafa

...for the petitioners

Mr. Sandipan Banerjee

Mr. Ankit Sureka

...for HMC

Mr. K. D. Poddar

Mr. Subir Sabud

...for the private respondent

Let the writ petitioner in WPA 7205 of 2023 be added as a respondent in this writ petition.

It is not in dispute that the petitioners were granted permission by the Howrah Municipal Corporation for the construction of a G+4 storied building. However, they have added an additional 3 and ½ floors without obtaining a sanctioned plan.

The Corporation has initiated demolition proceedings, and a substantial portion of the unauthorised construction has already been demolished.

The petitioners express concern that, in the process of demolishing the remaining unauthorised construction, the Corporation may damage the authorised portion of the building, where several flat owners reside.

The Corporation has provided an undertaking before this Court, assuring that it will not demolish any part of the building that is authorised. Additionally, the Corporation has committed to exercising due caution and care in executing the demolition of the remaining unauthorised portion.

In light of this assurance and undertaking from the Corporation, **WPA 15933 of 2024** is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties on compliance of usual legal formalities.

(Kausik Chanda, J.)