

06.01.2025
Sl. No.30
Ct. No.15
S.A.

WPA 16015 of 2024

Sadananda Ganguli
-vs-
The State of West Bengal & Ors.

Mr. Sadananda Ganguli
... petitioner (in person)
Mr. Sudip Sarkar
Mr. Prodip Paul
...for the State
Mr. Sankha Subhra Ray
...for Kamarhati Municipality

The petitioner alleges unauthorised construction at the behest of respondent no.5 at premises no.90, Feeder Road, Holding no.294, Ward No.19 of Kamarhati Municipality.

The Municipality filed a report in terms of the order dated November 6, 2024 passed by this Court. The report of the Municipality suggests that it has passed a demolition order with regard to the unauthorised construction in question on February 12, 2024. The report further suggests that for the follow up action the relevant engineer of the Municipality visited the spot on November 13, 2024 when it was found that respondent no.6 started to dismantle the unauthorised construction and by that time they had already demolished the construction on the side of the petitioner's residence.

Respondent no.5 has further informed the said engineers that they would dismantle the entire structure within few days and initiate any construction only after obtaining sanctioned plan from the Municipality. The engineer of the Municipality directed respondent no.5 to submit a declaration to that effect before the Chairman of the Municipality immediately. The Municipality in its report further asserts that it would take every step in accordance with law to implement the demolition order.

In view of the aforesaid report of the Municipality filed in the form of an affidavit, it is not necessary to pass any further order in this writ petition.

The Municipality shall visit the premises in question within a period of 15 days from date and if any unauthorised construction is found the Municipality shall demolish the same in accordance with law within a period of 30 days thereafter.

Needless to mention that if respondent no.5 dismantles the unauthorised construction in the meantime, no further steps will be necessary at the end of the Municipality.

Accordingly, **WPA 16015 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.)