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25-07-2025
AKG
Ct. 15

WPA 16137 of 2025

**Mallika Adhikary & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sanjib Seth
...for the Petitioners
Mr. Sandipan Banerjee,
Mr. Ankit Sureka
...for HMC
Mr. M. P. Gupta,
Mr. Ayan Mitra,
Ms. Moumita Dhar
...for Respondent No. 9

The writ petitioners challenge a demolition order dated June 11, 2024, issued by the Howrah Municipal Corporation in respect of a building located at 133, Deshbandhu Sarani, P.S.-Santragachi, Howrah.

The petitioners claim to have purchased their respective flats in the said building in the years 2023 and 2024.

It appears that a Division Bench of this Court, by an order dated March 19, 2024, in FMA 381 of 2024 (Sima Saha vs. Biswajit Podder & Ors.), directed the Corporation to pass a reasoned order concerning the demolition of the building after affording an opportunity of hearing to the concerned parties.

Subsequently, WPA 16049 of 2024 (Biswajit Podder vs. Howrah Municipal Corporation & Ors.) was filed by the developer of the building. On January 20,

2025, this Court passed the following order in the said writ petition.

“Accordingly, I dispose of the writ petition with a direction to the Corporation to prepare a demolition sketch map as expeditiously as possible, in accordance with the report filed before this Court today.

The Corporation shall serve a copy of the demolition sketch map, along with the report filed before this Court today, upon the petitioner within two weeks from the date of this order. Thereafter, the demolition order shall be executed in accordance with the law.

*With the above observations and directions, **WPA 16049 of 2024** stands disposed of.”*

This present writ petition is completely silent about the order dated January 20, 2025.

In my view, in this writ petition, this Court cannot pass any order in contradiction with the order dated January 20, 2025.

Accordingly, **WPA 16137 of 2025** is dismissed.

This shall not preclude the writ petitioners to take steps in accordance with law.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)