

24.07.2025
SI No.68
Ct. No.15
S.A.

WPA 16670 of 2025

Bijan Majumdar
-vs-
The Howrah Municipal Corporation & Ors.

Mr. Sanjib Seth

...for the petitioner

Mr. Sandipan Banerjee

Mr. Ankit Sureka

...for Howrah Municipal Corporation

The petitioner claims to be a co-sharer in respect of the premises located at 55, Prasanna Kumar Dutta Lane, Shibpur, Howrah-711102.

It appears that the Howrah Municipal Corporation (HMC) passed a demolition order concerning an alleged unauthorized construction at the said premises without affording the petitioner an opportunity of hearing.

It is noted that although the developer was duly notified, he chose not to appear before the HMC in connection with the demolition proceedings.

In my considered view, the petitioner, being a co-sharer, ought to have been granted an opportunity of hearing by the HMC prior to the issuance of the demolition order, in terms of Section 177 of the Howrah Municipal Corporation Act, 1980.

In light of the above, the Corporation is directed to initiate a fresh demolition proceeding after

providing an opportunity of hearing to the petitioner and any other interested parties, if any.

The said proceeding shall be concluded within a period of two months from the date of this order.

Accordingly, **WPA 16670 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.)