

24.07.2025
SI No.70
Ct. No.15
S.A.

WPA 16718 of 2025

M/S Ma Tara Construction
-vs-
Howrah Municipal Corporation & Ors.

Mr. Sumitava Chakraborty
Ms. Bratati Pramanick
...for the petitioner
Mr. Sandipan Banerjee
Mr. Ankit Sureka
...for Howrah Municipal Corporation
Mr. Rajarshi Basu
...for the State
Mr. Snehasish Dey
...for respondent nos.9 and 10

The petitioner claims to be the developer of a building situated at 46/1/2, Choudhuri Para Lane, Santragachi, P.S. Chatterjeehat, Howrah.

It is contended by the petitioner that a sanctioned plan for a G+1 storied building was duly obtained from the Corporation. However, the Corporation, without affording the petitioner any opportunity of hearing, passed a demolition order dated July 15, 2025.

In my considered view, since the petitioner is the person responsible for the construction, he ought to have been given prior notice by the Corporation before issuing the demolition order, in terms of Section 177 of the Howrah Municipal Corporation Act, 1980.

Accordingly, the demolition order dated July 15, 2025, is set aside.

The Corporation shall be at liberty to initiate a *de novo* demolition proceeding after affording an opportunity of hearing to respondent nos.9 and 10, the petitioner and any other interested parties, if any.

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

Accordingly, **WPA 16718 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.)