

22.09.2025.  
Court No.13  
Item No. 14  
ap

**M.A.T. No. 1170 of 2025**  
**With**  
**I.A. No. CAN 1 of 2025**

**Ashis Kumar Dutta**  
**Versus**  
**The Hooghly-Chinsurah Municipality & Ors.**

Ms. Ameena Kabir,  
Mr. Nirmalya Dutta.

...For the appellant.

Mr. Tapas Kumar Ghosh,  
Mr. Tanmoy Chowdhury.

...For the respondent nos.1 to 4.

Mr. Dhananjay Nayak,  
Mr. Tirupati Mukherjee,  
Mr. Koustav Banerjee.

...For the respondent nos.6 to 8.

1. Affidavit-of-service filed in Court today be taken on record.
2. The instant intra court appeal is directed against the order dated 17<sup>th</sup> June, 2025 passed by a learned Single Judge of this Court in W.P.A. 6378 of 2025.
3. The appellant alleges that the private respondents have obtained sanction plan from the Hooghly-Chinsurah Municipality without presenting demarcation and extent of his land, otherwise known as 'site plan'.
4. Counsel for the Hooghly-Chinsurah Municipality had submitted before the learned Single Judge that plan was duly sanctioned in favour of the private respondents and construction is going on in terms thereof. He further submitted before the learned Single Judge of this Court and this Court that there is some

disputes with regard to the boundaries between the appellant and the private respondents.

5. The Officials of the concerned Block Land & Land Reforms Officer have been requested to come and demarcate the land in question. After demarcation, if it is found that the plan sanctioned in favour of the private respondents is contrary to the West Bengal Municipal Rules, a revised plan may be given to the private respondents and construction made outside the revised plan shall be dealt with by the Hooghly-Chinsurah Municipality in accordance with law.

6. In so far as the measurement is concerned, the appellant shall be duly notified by the Hooghly-Chinsurah Municipality and demarcation of the plot of the appellant and the private respondents and their respective extents shall be obtained from the Surveyor of the concerned Block Land & Land Reforms Officer.

7. If the parties are still aggrieved by any order that the Hooghly-Chinsurah Municipality may pass or the measurement effected by the concerned Block Land & Land Reforms Officer, remedies available under the West Bengal Land Reforms Act, 1955 and the West Bengal Municipal Act may be availed in accordance with law.

8. With the aforesaid observations, the impugned order shall stand modified. Accordingly, M.A.T. 1170 of 2025 shall stand disposed of.

9. In view of disposal of the appeal itself, the connected application being CAN 1 of 2025 shall also stand disposed of.

10. There will be no order as to costs.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***

***(Ajay Kumar Gupta, J.)***