

21.01.2025  
Sl. No.52  
Ct. No.15  
S.A.

**WPA 19438 of 2024**

**Shashi Kant Singh**  
**-vs-**  
**The State of West Bengal & Ors.**

Mr. Partha Pratim Roy  
Mr. Sabyasachi Chatterjee  
Mr. Pintu Karar  
...for the petitioner  
Mr. Sandipan Banerjee  
Mr. Ankit Sureka  
...for Howrah Municipal Corporation  
Ms. Sipra Mazumder  
Ms. Prativa Ghatak  
...for the State

The petitioner challenges a stop-work notice dated April 4, 2024, appearing at page 60 of the writ petition.

The learned counsel for the petitioner submits that the petitioner holds an approved plan for a G+4 storied building. However, he acknowledges that the petitioner has undertaken some temporary construction on the roof of the fourth floor beyond the sanctioned plan.

In light of the above, I find no justification for keeping this writ petition pending. The Corporation is at liberty to initiate proceedings under Section 177(1) of the Howrah Municipal Corporation Act, 1980, regarding the alleged unauthorised construction.

It is understood that such proceedings must be completed only after providing the petitioner with a

fair opportunity for a hearing. Furthermore, the petitioner may submit an application for the regularisation of the alleged unauthorised construction on the roof of the fourth floor as part of the proceedings under Section 177(1) of the Howrah Municipal Corporation Act, 1980, and the Corporation shall duly consider such an application.

It is explicitly undertaken by the petitioner that he shall not undertake any construction beyond the approved plan.

Accordingly, **WPA 19438 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.)**