

5-6 13-01-2025
AKG
Ct. 15

WPA 15649 of 2024
Provat Kumar Roy
Vs.
The State of West Bengal & Ors.
WITH
WPA 19660 of 2024
Rajib Santara
Vs.
The State of West Bengal & Ors.

Mr. Mainak Chanda,
Mr. Santi Ranjan Hazra,
Mr. Avishek Chowdhury
...for the Petitioner in WPA 15649/2024 &
... for the Respondent in WPA 19660/2024

Ms. Mekhla Sinha
...for the Respondent
Ms. Sipra Majumder,
Ms. Prativa Ghatak
...for the State
Mr. Subhasis Bandyopadhyay
...for the Municipality

Both the writ petitions are taken up together for hearing, as the petitioners, in the aforesaid writ petitions, alleged unauthorised construction against each other.

Burdwan Municipality was directed to file a report in response to the allegations made in these writ petitions. The relevant part of the Burdwan Municipality is quoted below:

“The report submitted in compliance with the combined order passed by the Hon’ble High Court, Calcutta dated 25/09/24 in connection with the aforesaid matters. That the office of the undersigned has enquired the premises of Rajib Santra, who had purchased some property in respect of holding no-149/1 at Mithapukur Road Mahalla under

ward no-29 of Burdwan Municipality and constructed a 3 storied building without any plan or permission. That during inspection of the building of Provat Kumar Roy at Mithapukur Road Mahalla bearing holding no-149 stands in the name of Hemanta Kumar Roy & Ors it appears that one old sanctioned building plan dated-11/02/1978 produced by him in respect of one building and also found that other constructions attached to the said building exist thereon but failed to submit any sanction plan in respect of those additional portions. Submitted for information.

Date:- 19/11/24”

In view of the report filed by the Municipality, there is no reason to keep these writ petitions pending. Accordingly, I dispose of these writ petitions with a direction upon Burdwan Municipality to call for a hearing, provide opportunity of hearing to the petitioners in both the matters and pass necessary orders in accordance with law.

Accordingly, **WPA 15649 of 2024** and **WPA 19660 of 2024** are disposed of.

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.)