

25.08.2025
Item No.26
Ct. No.35
dc.

W.P.A. 19090 of 2025

Bharati Baitha
versus
The State of West Bengal & Ors.

Mr. Asis Bhattacharyya ... For the Petitioner.

Mr. Jayanta Samanta,
Mr. Chandan Mishra ... For the State.

Mr. Hareram Singh ... For the Respondent Nos. 4 to 6.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

Petitioner is aggrieved by the inaction of the police authorities and has approached this Court. Records reflect that apart from the police authorities, information was furnished to the Chairman, Borough-IV, Howrah Municipal Corporation in the year 2024.

Having considered that the Municipal authorities till date did not decide regarding the legality or illegality of the construction, I am of the view that the police authorities would only act once they receive a complaint from the municipal authorities regarding the illegality of the construction concerned. Having regard to the fact that till date, no steps have been taken, I am of the view that police authorities who are not empowered

to decide regarding the legality and illegality of the construction would await for the report from the municipal authorities and then take steps in accordance with law.

With the aforesaid observations, the writ petition being WPA 19090 of 2025 is disposed of.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)