

06.08.2025
Sl. No. 07
Ct No. 3
SG

WPA 21802 of 2024

**Manoj Kumar Shaw
Vs
Chandernagore Municipal Corporation & Ors.**

Mr. Ayan Banerjee,
Mr. Dhiman Banerjee.

...for the petitioner

Mr. S. Bandyopadhyay,
Mr. A. Mondal,

...for Corporation

Mr. Prasenjit Debnath,
Mr. A. Sengupta.

...for respondent nos. 6 & 7

1. Affidavit-of-service is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent-Corporation in failing to take appropriate steps against the alleged illegal and unauthorized construction being carried out by the private respondent nos. 6 and 7 at holding no. 306 under Chandernagore Municipal Corporation.
3. It is the case of the petitioner that he is the owner of holding no. 304 under Chandernagore Municipal Corporation. It is the contention of the petitioner that the private respondent nos. 6 and 7 are the owners and occupiers of the house situated at Holding No. 306 under Chandernagore Municipal

Corporation, which is adjacent to the house of the petitioner. The said respondents are raising illegal and unauthorized construction over the said property without any sanctioned plan and without leaving the mandatory side space from the adjacent property. The said construction is being carried on in complete violation of the provisions of West Bengal Municipal Act, 1993 and the West Bengal Municipal Building Rules, 2007. The petitioner further states that he has made several representations before the concerned authority against the alleged illegal and unauthorized construction.

4. Learned Counsel for the respondent-Corporation submits that they had conducted an inspection on the abovementioned property and it has been recorded that the private respondents have carried out illegal and unauthorized construction in the abovementioned property. Learned Counsel for the respondent-Corporation further states that self-demolition notice has already been issued on 04.08.2025. He further assures this Court that necessary action shall be taken in accordance with law as expeditiously as possible in terms of the said demolition order passed by the respondent-Corporation.

5. In view of the said submission, nothing survives for adjudication in the present writ petition. Accordingly, the same is disposed of with a direction to the respondent authority to carry out the demolition action in accordance with law.

6. With the above direction, the present writ petition is disposed of.

7. Copy of the demolition order has been handed over to the private respondent.

8. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

9. There shall be no order as to costs.

10. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)