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11-06-2025
AKG
Ct. 15

WPA 22727 of 2024
Biswanath Sardar
Vs.
State of West Bengal & Ors.

Mr. Madhu Jana,
Mr. Golam Zaky,
Ms. Ritika Chowdhury,
Ms. Priti Mourya
...for the Petitioner

Mr. Dipankar Mandal,
Mr. Abdul Aziz Mondal
...for the Municipality

Ms. Sangeeta Roy,
Ms. Barnali Gupta
...for the State

The petitioner is aggrieved by a demolition notice dated August 31, 2024, issued by the Chakdah Municipality.

Learned counsel appearing on behalf of the Municipality submits that the petitioner has undertaken construction on a plot of land classified as pukur (water body).

Learned counsel appearing for the petitioner contends that similarly situated individuals have not been subjected to any demolition proceedings by the Municipality.

In light of the appellate remedy provided under Section 218(3) of the West Bengal Municipal Act, 1993, I am not inclined to entertain the present writ petition.

It is submitted by the learned counsel for the petitioner that the demolition order was served upon the petitioner

only on June 2, 2025.

Having regard to the above, liberty is granted to the petitioner to prefer an appeal under Section 218(3) of the West Bengal Municipal Act, 1993, against the demolition order before the appropriate authority in accordance with law.

Accordingly, **WPA 22727 of 2024** is 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.)