

0611.2025
Ct. 3
Item No.
A 15
Saswata

WPA 24388 of 2025
Jabarul Islam Chowdhruy & Anr.
Versus
The State of West Bengal & Ors.

Mr. Pawan Kumar Gupta
Mr. S.J.Ali
Ms. Sofia Nesar
Mr. Santanu Sett
Ms. P. Banerjee

... For the petitioners

Ms. Sabnam De Barnam

...For the State

- 1.** Affidavit of service filed in Court today is retained with the Court.
- 2.** The present writ petition has been filed, complaining failure on the part of the Municipality to take steps in relation to unauthorized construction being carried out by the private respondent no.9 on land situated at R.S. Plot no. 2485 and L.R. Plot no. 4078 Mouza Barua, P.S. Beldanga, Murshidabad.
- 3.** Learned advocate appearing for the petitioner has drawn the attention of this Court to the complaints lodged by the Chairman, Beldanga Municipality which are at pages 116, 118 and 120 of the writ petition. According to the petitioner despite making such complaints no steps have been taken by the Municipal authorities.
- 4.** Ms. De Barman learned advocate appears on behalf of the State. She submits that on the basis of the complaint made by the petitioner, the police authorities had independently enquired into the

matter and had found that at present construction work has stopped.

5. Let a copy of the report as filed in Court by S.I. Beldanga be taken on record. Prima facie it would transpire that construction had been carried out. It is not clear whether such construction is illegal or not.
6. Having regard thereto, I am of the view that the Executive Engineer, Beldanga Municipality should enquire into the matter upon giving an opportunity of hearing to the parties. If on the basis of enquiry it is found that any illegal construction has taken place, the Executive Engineer shall record the same by passing a reasoned order and take steps for removal of illegal construction in accordance with Section 218 under West Bengal Municipal Act, 1993.
7. Accordingly the writ petition is disposed of.
8. All parties shall act on the basis of the server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)