

06.11.2025
sayandeep
Sl. No. 18
Ct. No. 03

WPA 24496 of 2025

Jayanta Kumar Mondal
Vs.
Rajpur Sonarpur Municipality & ors.

Mr. Tanmay Chowdhury
Ms. Sulagna Sarkar

....for the petitioner

Mir Anuruzzaman

.... For the Municipality

Mr. Tarun Kanti Halder
Mr. G.S. Kadri

.... For the pvt. respondent No. 5

1. The affidavit-of-service filed in Court today be taken on record.
2. Leave granted to the petitioner to add Assistant Engineer (Building), Rajpur Sonarpur Municipality as a party respondent in course of day. Learned advocate for the municipal authority accepts service on behalf of the added respondent.
3. The petitioner would complaint that the private respondent who happens to be a nephew of the petitioner has been illegally constructing on the portion of the property under his occupation which is adjacent to the petitioner's property. According to the petitioner, an illegal construction has commenced without sanctioned building plan at the site of an old existing building being part of Holding No.205 Mondalpara, Khirishtala, Post Office and Police

Station- Sonarpur, 24-Parganas (South), Kolkata – 700150. Despite repeated complaints being made by the petitioner, no steps have been taken by the municipal authorities. Last of such complaint had been made on 18th August, 2025.

4. The private respondent is represented.
5. Learned advocate for the private respondent would deny all material allegations in the petition. According to the private respondent, no new construction whatsoever is taking place at the locale. It is the old building which has been renovated.
6. Having heard the learned advocates appearing for the respective parties and noting the conflicting submissions, I am of the view that since the petitioner has made repeated complaints which are supported by photographs, the municipal authorities are duty bound to enquire into the matter especially when the same pertains to illegal construction. Accordingly, I direct the Assistant Engineer (Building), Rajpur Sonarpur Municipality to make a enquiry into the matter by making an inspection at Holding No.205 Mondalpara, Khiristala, Post Office and Police Station Sonarpur, 24-Parganas (South), upon notice to the parties and to decide on the petitioner's complaint and the private respondents version, by preparing a detailed and reasoned order upon giving opportunity of hearing to the interested parties. If on the basis of a decision to be taken by the Assistant Engineer

(Building), Rajpur Sonarpur municipality any illegal construction is detected at the above holding, appropriate proceedings shall be initiated against the person responsible in accordance with law. The decision in this regard must be taken by the Assistant Engineer (Building), Rajpur Sonarpur Municipality within a period of 8 weeks from the date of communication of this order. If any documents are sought for by the Assistant Engineer (Building), parties shall produce the same.

7. With the above observations and directions, the writ petition stands disposed of.

(Raja Basu Chowdhury, J.)