

03.11.2025
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Sl. No. 11
ML
Ct. No. 03

WPA 24514 of 2025

Sri Krittibas Pramanick
Vs.
The Howrah Municipal Corporation & ors.

Mr. Tanmoy Mukherjee
Mr. Rudranil Das
.....for the petitioner

Mr. Sandipan Banerjee
Mr. Ankit Sureka
..... for the HMC

1. It appears that the matter pertains to illegal construction. According to the petitioner, the petitioner along with other co-sharers had entered into a development agreement dated 12th May, 2005 with one Om Prakash Bhartia and Tripurari Singh to develop the property situated at 16/1, Sri Aurobinda Road, Salkia, Police Station- Malipanchghora, within Ward No. 5, District-Howrah, PIN- 711 106.
2. According to the petitioner, a show cause notice was issued on the petitioner on 22nd July, 2025 in relation to deviation of the sanction building plan under the provisions of Section 177(1) of the Howrah Municipal Corporation Act, 2018 (hereinafter referred to as the “said Act”). Latter, a demolition notice was also issued on 22nd September, 2025. The petitioner had thereafter approached this Court by filing the writ petition whereupon a joint inspection was carried out

at the petitioner's premises and it was ascertained that there has been deviation on each of the floors. On 30th October, 2025, the above inspection had been carried on. From the above inspection report, it transpires that there has been deviation upto the 4th floor level. However, the municipal authorities have not identified the extent of deviation in the aforesaid notice. Let the inspection report dated 31st October, 2025 as placed before the Court be taken on record.

3. Having considered the submissions of the advocates for the parties and the materials on record, I direct the municipal authorities to bring the aforesaid proceedings to a logical conclusion by taking appropriate steps and by ensuring that the construction that has been carried out by the petitioner to the extent the same is in deviation of the sanctioned building plan is demolished. The respondents must, before proceeding further, give opportunity of hearing to the petitioner and conclude the proceeding in accordance with law as expeditiously as possible preferably within a period of 4 weeks from the date of communication of this order.
4. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)