

03.12.2025
SL No.37
sayandeep
Ct.3.

WPA 25526 of 2024

Shubhraditya Mandal (Minor)
Versus
The State of West Bengal & ors.

Mr. Soumen Kr. Dutta
Mr. Partha Sarathi Basu
... for the petitioner

Ms. Sulagna Bhattacharya
Mr. Mostafijul Rahaman
... for the State

Mr. Nilanjan Adhikari
Ms. Oindrila Sinha
..... for the respondent No. 2

Mr. Sounak Mondal
Mr. Rudranil Das
..... for the respondent No. 5

1. Pursuant to the order dated 25th November, 2025, the Chairman, Kontai Municipality is personally present in Court. Although a report in the form of an affidavit has been filed on behalf of the respondent Nos. 2 and 3 which includes the Chairman, Kontai Municipality there is no explanation provided in such affidavit as to why no appropriate steps had been taken by the Chairman despite repeated orders of this Court.
2. The conduct of the respondent No. 2 in failing to adhere to the direction of this Court does not appear to be proper. Be that as it may, I find that an order has since been passed by the Board of Councilors of the respondent No. 2 on 28th November, 2025 in relation to unauthorized

construction at Plot No. 1241, JL No. 370, Mouza-Athilagori under P.S. Contai, Purba Medinipur. The aforesaid action has been taken by the respondent No. 2 only after this Court had passed the order on 25th November, 2025 directing the respondent No. 2 to be personally present before this Court. However, noting that steps have already been taken by the respondents, I am of the view no fruitful purpose would be served by keeping the writ petition pending.

3. The writ petition is accordingly disposed of by directing the municipality to ensure compliance of its direction in accordance with law. Although, the private respondent seeks to challenge such order, in the writ petition, I am of the view, the scope of the writ petition cannot be enlarged to challenged the order dated 28th November, 2025 passed by the Board of Councilors.
4. The personal appearance of the respondent No. 2 is accordingly dispensed with.

(Raja Basu Chowdhury, J.)