

Sl.No. 124 17.03.2025
Court No. 35
G.S.Das

WPA 7576 of 2020

Jyostna Palandar
-Vs-
The Government of West Bengal & Ors.

Mr. Subhabrata Chowdhury
Ms. Tripti Pandey
... for the Petitioner(s)

Mr. Benazir Ahmed
... for the State-respondent(s)
Mr. Mir Anuruzzaman
... for the Municipality

The petitioner submitted a representation to different administrative authorities including the Superintendent of Police, Baruipur Police District as well as the Inspector-in-charge, Sonarpur Police Station.

The main contention in the accusations was against the private respondents who have obstructed free egress and ingress by constructing a brick built structure with a *tinshed*. The encroachment, according to the petitioner, is about 330 sq. ft.

The grievance of the petitioner is that in spite of informing the police authorities, no action has been taken.

The records of the case reflect that such representation was made on or about September, 2020. More than four and half years have passed since the representation was furnished with the authorities concerned.

The police authorities are not the appropriate authorities for removing any illegal structure and/or illegal construction until and unless they are directed to assist by the authorities who are responsible for taking action in respect of demolition of any illegal construction.

If the situation still persists, the petitioner would be at liberty to make proper representation before the Municipal authorities which would consider the legality and/or illegality in the construction in respect of government land concerned.

In case, the Municipal authorities are of the opinion that the construction is illegal, they would pass necessary directions and take steps. If assistance of the police authorities are required, the police authorities, under those circumstances, would render proper assistance.

With the aforesaid observations, WPA 7576 of 2020 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

