

20.01.2026
sayandeep
Sl. No. 12
Ct. No. 03

WPA 304 of 2025

Satarupa Ghosh
Vs.
Baidyabati Municipality & ors.

Mr. Indra ath Mukherjee
Mr. Sukanta Mondal

..... for the petitioner

Mr. Phatick Chandra Das
Mrs. Soma Chowdhury

.... For the municipality

Mr. Angshuman Chakraborty
Mr. S.Mitra

..... for the pvt. Respondent No. 9-10

1. The report filed on behalf of the municipality is taken on record.
2. From the aforesaid report, it is apparent and clear that there is an unauthorized construction at holding No. 449/(88/A), N.C. Banerjee Road, Ward No. 23 under Baidyabati municipality, District-Hooghly. Let it be placed on record that alleging illegal construction at the behest of the private respondent Nos. 9 and 10 at the above holding, the instant writ petition has been filed.
3. Considering the case made out by an order dated 6th January, 2026, this Court had directed the municipality to carry out an inspection and to file a report. Pursuant to the aforesaid, the above report has been filed.
4. Having regard to the disclosure made in Court today, I am of the view that the municipal authorities should immediately takes steps in the matter under

the provisions of Section 218 of the West Bengal Municipal Act 1993. The proceedings must be initiated within two working days from the date of communication of this order. The municipality must ensure that no further illegal construction takes place at the locale. The proceedings to be initiated by the municipality must be brought to a logical conclusion as expeditiously as possible preferably within a period of 4 weeks from the date of initiating such proceedings.

5. Having regard to the state of affairs prevailing, I am of the view that municipality should offer an inspection of the sanction building plan based on which the construction had commenced at holding No. 449/(88/A), N.C. Banerjee Road, Ward No. 23 under Baidyabati municipality, District-Hooghly at the time of hearing to the petitioner.
6. It is made clear that this Court has not entered into the merits and it shall be open to the municipality to take the decision in accordance with law being uninfluenced by the observations made herein.
7. Since no affidavit-in-opposition has been called for, the allegations made in the petition are deemed not to have been admitted by the respondents.
8. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)