

M/L 80
08.01.2026
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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 1043 of 2025

Smt. Moumita Roy Jana
Versus
The State of West Bengal & Ors.

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. Rudranil Das
... For the petitioner.

Mr. Nilanjan Adhikari
Ms. Oindrila Sinha
... For the municipality.

Mr. Tarun Kumar Ghosh
Ms. Bineeta Bhattacharjee
... For the State.

1. Affidavit of service filed in Court is taken on record.
2. Complaining unauthorized and illegal construction made by the private respondents and failure on the part of the municipal authorities to take steps on the basis of the complaints dated 7th May, 2024, 21st September, 2024 and 22nd November, 2024, the instant writ petition has been filed.
3. According to the petitioner, though the petitioner is the recorded owner in respect of plot nos.1192 and 1195 which are both classified as Bastu under Khatian No. 2200/1 Mouza – Uttar Darua, J. L. No. 475, Police Station – Contai, District – Purba Medinipur, the private respondents have been constructing on the said property.

According to the petitioner, the construction is illegal as the private respondents could not have obtained sanctioned building plan in respect of the property owned by the petitioner.

4. Having heard the learned advocates appearing for the respective parties, I am of the view that no useful purpose will be served in keeping the writ petition pending and accordingly the same stands disposed of with a direction upon the municipality to carry out an inspection at the locale upon notice to the parties and decide on the petitioner's complaints by passing a reasoned order. If on the basis of the decision to be taken by the municipal authorities it is found that any construction is made *de hors* the municipal laws, appropriate steps shall be taken in accordance with the provisions of Section 218 of the West Bengal Municipal Act, 1993. Alternatively, if no illegal construction is detected, the matter shall not be proceeded further.

5. The reasoned order as directed above shall be passed by the municipal authorities within a period of six weeks from the date of communication of this order.

Urgent photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)