

13.01.2026
Ct. 3
Item No.
ML 90
sayandeep

WPA 1229 of 2025

**Ritesh Kumar Jaiswal
Versus
The HMC & Ors.**

Mr. Prasenjit Burman
Ms. Payel Koley
Mr. Swapnesh Mallik

.... For the petitioners

Mr. Sandipan Banerjee
Mr. Ankit Sureka

....for the HMC

Mr. Rabindra Nath Pal
Mr. Suman Singh

....for the State

1. The affidavit-of-service filed in Court today is taken on record.
2. Complaining illegal construction at the behest of the private respondent No. 6 and the failure on the part of the municipal authorities to take appropriate action on the basis of the petitioner's complaints dated 11th September, 2024 and 2nd January, 2025, the instant writ petition has been filed.
3. Mr. Banerjee, learned advocate appears for the municipality. He submits on the basis of oral instruction that though there is a sanction building plan for construction of G+2 storied building at premises No. 198/2, Aswani Kaur Mondal Road, P.S. Bantra, Howrah, PIN-711101, however, the private respondent has already carried out illegal

construction thereat and the G+2 storied building has become a G+5 storied building. According to him, a stop work notice has already been issued though no copies thereof could be placed before this Court. He submits that appropriate proceeding has already been initiated by the municipal authorities. Although the private respondent is not represented in Court, I am of the view that taking into consideration the submissions of the parties, it would only be appropriate to direct the municipal authorities to take appropriate steps in accordance with law under the provisions of Section 177 of the HMC Act, 1980 by notifying the person responsible and to initiate such proceedings if such proceedings have already not been initiated within a period of 2 weeks from the date of communication of this order. The proceedings must be brought to a logical conclusion within 8 weeks thereafter in accordance with law.

4. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)