

13.01.2026
ML- 94
AMR
Ct.No.03

WPA 1315 of 2025
Kartick Chandra Dhar
-vs.-
The State of West Bengal & Ors.

Mr. Sukanda Das

...for the Petitioner

Mr. Sujay Bandyopadhyay
Mr. Jagajyoti Das

...for the Midnapore Municipality

1. The present writ petition has been filed alleging illegal construction at the best of the private respondent nos. 7 and 8 and the failure on the part of the Municipal Authorities to act on the basis of the complaints made by the petitioner.
2. Today though the learned advocate representing the petitioner would seek to withdraw the writ petition, Mr. Bandyopadhyay, learned advocate representing the Municipality, on instruction, would submit that on the basis of the complaints made by the petitioner, the Municipal Authorities have conducted an inspection at the locale, which is a high-rise building in plot no. 1702, Mouza- Narampur, Police Station- Kotwali, Paschim Medinipore at Judges Court Main Road under the Midnapore Municipality.

3. He would submit that the Municipal Authorities, *prima facie*, have been able to determine that there are certain deviations from the sanctioned plan and portions of the construction is also unauthorized, though, the final decision in this regard is yet to be taken.

4. The private respondents are not represented at the time of call.

5. However, taking into consideration, the submissions made by the Municipality, I am of the view that it would be appropriate to direct the Municipality to proceed with the complaints filed by the petitioner, since the same pertains to illegal and/or unauthorized construction, which is a social evil in itself. The prayer of the petitioner to seek withdrawal of the writ petition is thus rejected.

6. Accordingly, the Municipal Authorities are directed to take a decision on the basis of the complaints by carrying out an inspection at the locale.

7. On the basis of such inspection if any deviation is detected or any illegal and/or unauthorized constructions are note to have come up, appropriate steps shall be taken under the provisions of Section 218 of the West Bengal Municipal Act, 1993, and the same shall be brought to a logical conclusion as expeditiously

as possible, preferably within a period of 12 weeks from the date of communication of this order.

8. Since, no affidavit in opposition is called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

9. Accordingly, the writ petition stands **disposed of.**

10. All parties are act on the basis of a copy of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J.)