

**17.03.2026**  
**sayandeep**  
**Sl. No. 04**  
**Ct. No. 03**

**WPA 1654 of 2026**

**Aurobindo Habib Rahman**  
**Vs.**  
**The State of West Bengal & ors.**

Mr. Usof Ali Dewan  
Mr. Asif Dewan

.... For the petitioner

Mr. Sandipan Banerjee  
Ms. Ina Bhattacharyya

.... For the KMC

Mr. Dipankar Das Gupta

..... for the State

Mr. Pinaki Dhole  
Ms. Nilofar Begam  
Mr. Rabindra Kr. Pathak

..... for the respondent No. 8

1. Although the present writ petition has been filed complaining illegal and unauthorized construction at premises No. 21A Gora Chand Lane P.S.-Beniapukur, Kolkata and inaction on the part of the municipal authorities to take note of the petitioner's representation regarding the above, today learned advocate for the petitioner on instructions by placing before this Court the communication dated 5<sup>th</sup> March, 2026 would submit that the petitioner is not willing to proceed further with the aforesaid case.
2. Mr. Banerjee, learned advocate representing the municipality would, however, by placing before this Court a report dated 13<sup>th</sup> February, 2026 counter signed amongst others by the Executive Engineer(C)/Building/Br.-Borough-VI would submit

that municipality has already taken steps on the basis of the complaint and since the illegal construction was noted at the locale, a stop work notice under Section 401 of the KMC Act, 1980 (hereinafter referred to as the said Act) was issued on 1<sup>st</sup> October, 2025. Since the person responsible defying the stop work notice had continued with the work, the department had requested for police posting and has also taken steps for preparation of demolition sketch and infringement statement which has been placed before the higher authority under Section 400 of the said Act.

3. Having heard the learned advocates appearing for the respective parties, I am of the view since the petitioner does not wish to proceed with the writ petition, the petition cannot be proceeded further, however, the above cannot impinge upon the rights of the municipality to proceed in accordance with law.
4. With the above observations and directions, the writ petition is dismissed as withdrawn.

**(Raja Basu Chowdhury, J.)**