

31.03.2026

DL-13

Ct. No. 03

Srimanta

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 1793 of 2025

Sikha Roy
-Vs.-
Howrah Municipal Corporation & Ors.

Mr. Bhagbat Chaudhuri,

Ms. Mallika Manna

...for the petitioner.

Mr. Sandipan Banerjee,

Mr. Ankit Sureka

...for the Howrah Municipal Corporation.

Ms. Ipsita Banerjee,

Ms. Tithi Mazumder

...for the State.

1. The present writ petition has been filed, *inter alia*, praying for a direction upon the respondent nos. 2 to 6 not only to consider the petitioner's representation but also to demolish the ongoing illegal unauthorized construction carried out at the behest of the respondent nos. 7 and 8 at Holding No. 45/47/1, Botanical Garden Road, Ward No. 39, Howrah. When the matter was taken up on 23rd February, 2026 a Report was filed by the Municipality wherefrom it would transpire that a stop work notice had been

issued by the Municipality under Section 177(1) of the Howrah Municipal Corporation Act, 1980 (hereinafter referred to as the said Act) on 16th September, 2017. Subsequently, a proceeding was initiated and a self demolition notice was issued on 10th October, 2017. Following the aforesaid, the unauthorized construction at the second floor (roof only) in respect of the Holding No. 45/47/1, Botanical Garden Road, Ward No. 39, Howrah was demolished by the Municipality. From the Report it would also transpire that subsequently, the demolished portion was once again reconstructed and completed with a staircase room at the third floor level. Following the aforesaid, a stop work notice was served on 16th February, 2026. In those circumstances, this Court by the order dated 23rd February, 2026 had directed the Municipality to file an updated status report on the returnable date.

2. Mr. Banerjee, learned Advocate appears for the Municipality. He submits that a hearing has already taken place with regard to the reconstruction of the demolished portion. It is expected that the proceedings would be completed within two weeks.

3. Having regard to the disclosure, as aforesaid, I am of the view, no fruitful purpose will be served by keeping the writ petition pending especially when there is no challenge to the previous demolition notice dated 10th October, 2017. Accordingly, the writ petition is disposed of by directing the Municipality to conclude the proceedings and bring the same to the logical conclusion as expeditiously as possible preferably within a period of four weeks from the date of communication of this order.
4. With the above observations and directions, the writ petition stands disposed of.
5. There will be no order as to costs.

(Raja Basu Chowdhury, J.)