

27.04.2026
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Sl. No. ML88
Ct. No. 03

WPA 5833 of 2025

Rajab Ali Mullick
Vs.
The State of West Bengal & ors.

Mr. Tapas Kr. Dey

..... for the petitioner

Mr. Sandipan Banerjee

Mr. Ankit Sureka

..... for the HMC

Ms. Jyotsna Roy Mukherjee

..... for the State

1. Alleging illegal construction by the private respondent and the failure on the part of the municipal authorities to arrest such illegal construction at Mouza-Dharsa, Dag No. 1603 and 1558, JL No. 5, P.S. Dasnagar, Howrah, the instant writ petition has been filed. Although, the municipality is represented the private respondent despite service remain unrepresented.
2. Having heard the learned advocates appearing for the respective parties and noting that the complain of alleged illegal construction has been made on 28th February, 2025 addressed to the municipal corporation, HMC, I am of the view that the municipality must decide on the petitioner's complain by carrying out an inspection of the property in question and by passing a reasoned order. If on the basis of the decision to be taken by the municipality, it transpires that illegal construction has been made,

appropriate proceedings under Section 177 of the HMC Act, 1980 shall be taken.

3. It is expected that the municipality shall decide on the matter as directed above on an expeditious basis preferably within a period of 12 weeks from the date of communication of this order.

(Raja Basu Chowdhury, J.)