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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 7579 of 2025

Rajan Kulavi
Versus
The State of West Bengal & Ors.

Mr. Fazlul Haque
Mr. Sanatan Mondal
... For the petitioner

Ms. Munmum Ganguly
Mr. Sayan Ganguly
... For the State

Mr. Manabendra Thakur
Mr. Swarup Kumar Ghosh
... For the municipality

Mr. Chittapriya Ghosh
Ms. Priyanka Saha
... For the respondent nos. 6 and 7.

1. Today, though the learned advocate for the petitioner would like to seek withdrawal of the writ petition, however, since the municipality was directed to file a report, the Chairman, Ghatal Municipality has filed a report which is taken on record.

2. From the aforesaid report, it would transpire that one two storied commercial-cum-residential building plan was sanctioned in the name of Vivekananda Das, the respondent no.6 and Manmatha Das, the respondent no.7 in respect of plot no. 220, Mouza – Konnagar, J.L. No.147, Ward No. 15, Holding No. 318. The municipality sanctioned the building plan on 11th November, 2009.

The construction has been made as per the approved building plan of the municipality. Later the aforesaid respondent nos. 6 and 7 had submitted an online application on 29th October, 2022 for sanction of the 2nd floor building plan over existing building, and the said building plan was approved on 28th November, 2022. The construction of the 2nd floor of the building has been done as per the approved plan.

3. The present writ petition has been filed with an ulterior object. Though, the petitioner seeks to withdraw the writ petition I am of the view that there is no scope to permit such withdrawal and the writ petition, at this stage. The same is accordingly dismissed.

(Raja Basu Chowdhury, J.)