

30.03.2026

DL-74

Ct. No. 03

Srimanta

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 8803 of 2024

Bani Banerjee

-Vs.-

Howrah Municipal Corporation & Ors.

Mr. Bratin Kumar Dey,
Mr. Joydeep Das

...for the petitioner.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka

...for the Howrah Municipal Corporation

1. Affidavit-of-service filed in Court today be taken on record.

2. Complaining inaction on the part of the Municipal Authorities in failing to resist illegal construction at Holding No. 82, Dharmatala Road, Ward No. 3, P.S.- Malipanchghora, Howrah – 711106, the instant writ petition has been filed. The learned Advocate for the petitioner by drawing attention of this Court to the sanctioned building plan issued by the Howrah Municipal Corporation (hereinafter referred to as the Municipality) would submit that such sanctioned building plan is only for construction of G+3 storied building. In the instant case, a six storied building has already been constructed.

3. Mr. Banerjee, learned Advocate appears for the Municipality. The private respondents are, however, not represented despite service.

4. Having heard the learned Advocates appearing for the respective parties, I am of the view that at this stage it would be prudent to direct the Municipality to decide the petitioner's complaint dated 19th February, 2024. If on the basis of a decision to be taken by the Municipal Authorities which must be in the form of a reasoned order, the Municipality is of the view that any illegal/unauthorized construction has taken place, appropriate action shall be initiated by the Municipality under the provisions of Section 177 of the said Act.

5. It is also expected that the proceeding shall be brought to a logical conclusion as expeditiously as possible and the entire process shall be completed by the Municipality within a period of 12 weeks from the date of communication of this order.

6. With the above observations and directions, the instant writ petition is disposed of.

7. There shall, however, be no order as to costs.

(Raja Basu Chowdhury, J.)