

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 9477 of 2026

Putul Saha
Versus
The State of West Bengal & Ors.

Ms. Shruti Mukhopadhyay
Ms. Debdattya Karmakar
... For the petitioner.

Mr. Sukanta Ghosh
Mr. Arghya Chatterjee
... For the State.

Mr. Sandipan Banerjee
Ms. Utsa Dutta
Ms. Priyanka Sen
... For Durgapur Municipal Corporation

Mr. Sharanya Chatterjee
Mr. Subhajit Barman
... For the respondent no.6.

Mr. Subrata Bhattacharya
... For the respondent nos. 7 and 8.

1. Complaining illegal construction at the behest of the private respondent, this writ petition has been filed.
2. By order dated 7th May, 2026 this Court had directed the municipality to carry out an inspection and file a report.
3. The parties are represented by the learned advocates.
4. Learned advocate representing the municipality by placing before this Court copy of photographs taken during inspection would submit that though the report has not been prepared, an inspection has already been carried out on 5th June, 2026 and the photographs of the locale has been taken. The private parties have also been

directed to appear before the municipal authority and the municipal authority has already taken steps in the matter.

5. Let a copy of the photograph as placed before this Court be taken on record.

6. Since, the learned advocate for the municipality would submit that the municipality has already taken steps in the matter, in my view in a matter relating to illegal construction, no fruitful purpose will be served in keeping the writ petition pending.

7. Accordingly, the writ petition is disposed of by directing the municipal authority to complete the process already initiated by them within a period of four weeks from the date of communication of this order.

8. It is made clear that no further construction shall take place till such time a decision is taken by the municipal authority and the construction made by the private respondents by encroaching on the passage which the petitioner alleges to be common, and which is disputed by the learned advocate for the private respondents shall abide by the decision taken by the municipal authority.

9. Since no affidavit has been called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)