

11.05.2026

DL-13

Ct. No. 03

Srimanta

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 9566 of 2026

Bidisha Rakshit & Anr.
-Vs.-
Bidhannagar Municipality & Ors.

Mr. Mrinal Kanti Ghosh,
Mr. Chandra Nath Sarkar

...for the petitioners.

Mr. Sirsanya Bandopadhyay,
Mr. Tirthankar Dey,
Mr. Arka Kumar Nag

...for the BMC.

Mr. Aviroop Bhattacharya

...for the private respondent.

1. Affidavit-of-service filed in Court today be kept with the record.
2. Complaining inaction on the part of the Municipal Authorities primarily to take steps in relation to the illegal construction made by the private respondent at premises no. BG-1, Section-II, Salt Lake City, Kolkata – 700 091 and secondly with regard to the Municipality not intimating the petitioner with regard to the outcome of the hearing in connection with the complaint regarding certificate of enlistment issued in favour of the private

respondent at the aforesaid premises for running a guest house under the name and style of 'Falcon Guest House' the instant writ petition has been filed.

3. Today, the learned Advocate for the private respondent on instruction would submit that the issue of grant of certificate of enlistment has already been decided by the Municipality and the certificate of enlistment has been rejected. The private respondent is in the process of taking recourse to the same.
4. Mr. Bandyopadhyay, learned advocate appears for the Municipality and would submit that the issue with regard to the illegal construction is under consideration by the Municipality and it is expected that the decision in this regard would be taken at the earliest.
5. Having heard the learned Advocates appearing for the respective parties and noting that the only issue that is now pending for consideration is the issue with regard to the steps to be taken by the Municipality regarding the illegal construction and since it has been submitted by the Municipality that steps have already been

taken though, no particulars thereof has been disclosed, I am of the view that the Municipality should immediately proceed in the matter on the basis of the complaint made by the petitioner. The petitioner's complaint dated 10th January, 2025 regarding unauthorized construction should forthwith be disposed of by the Municipal Authorities in accordance with law by carrying out an inspection and by passing a reasoned order and if, on the basis thereof any illegal construction is noted the Municipality shall take steps under Section 266 of the West Bengal Municipal Corporation Act, 2006 and shall bring the same to a logical conclusion. It is expected that the entire process shall be completed within a period of eight weeks from the date of communication of this order.

6. The writ petition thus, stands disposed of.

(Raja Basu Chowdhury, J.)