

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10233 of 2025

Narasinha Dutt Trust & Anr.
Versus
The Howrah Municipal Corporation & Ors.

Mr. Golam Mastafa,
Mr. Subir Sabud,
Mr. Surajit Maity,
Mr. Priyam Ghosh

... For the petitioners

Mr. Sandipan Banerjee,
Mr. Ankit Sureka
... For Howrah Municipal Corporation

1. Today Mr. Banerjee, learned advocate, representing Howrah Municipal Corporation, has filed a report.
2. From the above report dated 2nd February, 2026, which is taken on record, it would transpire that an inspection was carried out at Holding no.362, Belilious Road, Howrah. During inspection it was also observed that some portion of the building consists of shops on ground floor with a R.T. structure, certain portion comprise a G+1 structure, wherein a C.I. shed exists at the first floor level. Additionally, some portion consists of a G+1 std. structure. The report categorically records that no new construction is carried out at the locale.

3. Upon going through the report, it does not transpire that any new construction has taken place.
4. According to the petitioners' case the respondent nos. 8 to 18 had been inducted at the said premises as tenants in respect of one brick built R.T. shed shop room measuring about 150 Sq.ft. at a monthly rental of Rs.550/- per month payable according to English calendar month. Alleging illegal construction and deviation from the existing sanctioned plan, the writ petition has been filed.
5. The petitioners as owners have failed to produce any sanctioned building plan. Prima facie, there does not appear to be any construction.
6. In view thereof, the writ petition stands dismissed.
7. There shall be no order as to costs.
8. The dismissal of the writ petition shall not interfere with the rights of the petitioners to move before the civil court, if so advised. Since the petitioners have not been invited to file any exception, the contents of the report are deemed not to have been admitted by the petitioners.

(Raja Basu Chowdhury, J.)