

11.06.2026
sayandeep
Sl. No. 13
Ct. No. 03

WPA 11338 of 2026

Biswanath Brahma
Vs.
The State of West Bengal & ors.

Mr. Dhananjay Banerjee
Mr. A. Dutta
Mr. Partha Sarathi Mishra
..... for the petitioner
Mr. Arka Tilak Bhadra
Ms. Suhana Parvein
..... for the respondent No. 6

1. The affidavit-of-service filed in Court today is taken on record.
2. The present writ petition has been filed complaining illegal construction at the behest of the respondent No. 6. The learned advocate for the petitioner would submit that a title suit is pending between the private parties before the Court of the learned Civil Judge (Senior Division) 3rd Court, at Barasat. According to him, during pendency of the title suit, a two storied building has been constructed by the respondent No. 6 without any sanctioned building plan. Though a complaint was lodged with the municipal authorities on 23rd April, 2026, the municipal authorities have taken no steps.
3. Having heard the learned advocates appearing for the respective parties and noting that an order of status quo has been passed by the learned Court on 14th February, 2025 and a representation has been made

to the municipal authorities, I am of the view that the municipal authorities though are not represented at the time of call, must enquire into the matter,

4. The municipal authorities are directed to carry out an inspection at the locale and take a decision by passing a reasoned order. On the basis of the decision to be taken by the municipal authorities, if the municipal authorities are of the view that illegal construction has been carried out by the respondent No. 6, appropriate proceedings under the provisions of Section 218 of the West Bengal Municipal Act, 1993 shall be initiated and the same shall be brought to a logical conclusion on an expeditious basis in accordance with law. The entire process shall be completed within a period of 16 weeks from the date of communication of this order.
5. Since no affidavit-in-opposition has been called for, the allegations made in the writ petition, are deemed not to have been admitted by the respondents.
6. The petitioner is directed to communicate this order to the non-appearing respondents.
7. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)