

11.06.2026
sayandeep
Sl. No. 15
Ct. No. 03

WPA 11387 of 2026

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

Mr. Debasis Sur

Ms. Rekha Das

..... for the petitioner

Mr. Rajan Shaw

..... for the respondent Nos. 7-8

1. The affidavit-of-service filed in Court today is taken on record.
2. Complaining illegal construction at the behest of the respondent Nos. 7 and 8 and the failure on the part of the municipal authorities to arrest illegal construction, the instant writ petition has been filed. The petitioner claims to be owner of the a plot of bastu land being holding No.90B, J.N. Lahiri Road under Serampore Municipality admeasuring 0.013 acres together with 3 feet 2 inches wide common passage leading to the municipal road known as J. N. Lahiri Road in Mouza-Ballavpur. The petitioner is residing in a premises constructed by the petitioner at the aforesaid plot which is a one storied building. According to the petitioner, at the eastern side of the petitioners' property, the private respondent Nos. 7 and 8 have started constructing a pucca structure by demolishing the old tiled shed structure. The above construction

according to the petitioner is not in accordance with law.

3. The private respondent is not represented.
4. Despite service, the municipality is unrepresented.
5. Having heard the learned advocates appearing for the respective parties, in my view having regard to the case made out it shall only be appropriate to direct the municipality to enquire into the matter and deal with the same by passing a reasoned order. If the municipality is of the view that any illegal construction has been carried out, appropriate proceedings under Section 218 of the West Bengal Municipal Act, 1993 shall be initiated and same shall be brought to a logical conclusion on an expeditious basis.
6. It is expected that the entire process shall be concluded within a period of 16 weeks from the date of communication of this order.
7. The petitioner is directed to communicate this order to the non appearing respondents. It is made clear since no affidavit has been called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.
8. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)