

M/L-18  
09.06.2026  
sb  
Ct.3.

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 11310 of 2025**

Smt. Rumpa Mallick  
Versus  
The State of West Bengal & Ors.

Mr. Tusher Kanti Mukherjee  
... For the petitioner.

Mr. N. C. Bihani, Sr. Advocate  
Ms. P.B. Bihani  
... For South Dum Dum Municipality.

1. Affidavit of service filed in Court is taken on record.
2. The present writ petition has been filed complaining illegal construction at Premises No.90/2, Khudiram Sarani, Ward No.VI, Kolkata-700065.
3. According to the learned advocate for the petitioner, on the basis of the complaint lodged by the petitioner the municipality has already taken steps as would corroborate from the notice dated 17<sup>th</sup> March, 2025, issued by the municipal authorities appearing at page 10 of the writ petition. According to him, aforesaid proceedings have not proceeded further.
4. Mr. Bihani, learned senior advocate appears on behalf of the South Dum Dum Municipality. He submits that on the basis of the aforesaid notice dated 17<sup>th</sup> March, 2025 an inspection was carried out on 5<sup>th</sup> March, 2025 and the municipality had offered an opportunity of

hearing to the parties on 30<sup>th</sup> May, 2025. He submits that in course of hearing, the private respondent had indicated that the private respondent will carry out self-demolition. Mr. Bihani, however, is not aware as to the further steps taken by the municipality.

5. Having heard the learned advocates appearing for the respective parties and noting that the municipality has already taken steps on the basis of the complaint lodged by the petitioner, I am of the view that the proceedings so initiated by the municipality should be brought to a logical conclusion unless the same has already been concluded by passing a reasoned order.

6. Accordingly, I direct the municipality to conclude the proceedings, if not already concluded, by passing a reasoned order and by affording an opportunity of hearing to the parties, if such proceedings are still pending, in accordance with law, as expeditiously as possible, preferably within a period of twelve weeks from the date of communication of this order.

7. 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.

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.)**