

29.06.2026
sayandeep
Sl. No. 29
Ct. No. 03

WPA 11803 of 2026

Md. Nashir Hossain
Vs.
The State of West Bengal & ors.

Mr. Arif Ali
Mr. Sarban Bhattacharyya

..... for the petitioner

Mr. Sovan Mukherjee
Ms. Sneha Chatterjee

....for the State

1. Complaining illegal construction at the behest of the private respondent No. 9, the instant writ petition has been filed. Despite service, the respondents apart from the State are not represented. Since, the petitioner claims that his complaint has not even been enquired into apart from issuing the notice dated 2nd August, 2024 whereby the private respondents were directed to stop work in contravention to the provisions of West Bengal Municipal Act, 1993, I am of the view that the municipality must take follow up action in respect of the notice dated 2nd August, 2024 and further should carry out an inspection at the locale and the report thereof must be served on the petitioner. Once, the report is circulated, the municipality shall upon giving opportunity to the parties decide on the legality and/or validity of the construction and if, it finds that construction is illegal without any municipal sanctioned building plan, appropriate steps shall be taken in accordance with the provisions of Section 218 of the West Bengal Municipal Act, 1993. Needless to note that if such proceedings have already been initiated or when

intimated the same shall be brought to a logical conclusion on an expeditious basis.

2. In any event, it is expected that the entire proceedings as directed shall be positively completed within a period of eight weeks from the date of communication of this order.
3. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)