

29.06.2026
Sl. 30
Ct No. 3
SG

WPA 11807 of 2026

**Shreya Mukherjee
Vs
The State of West Bengal & Ors.**

Mr. Sunny Nandy,
Mr. Rajib Maity,
Ms. Yamini Tiwari,
Mr. Manmohan Singh Roop Roy.
...for the petitioner

Mr. D.N. Roy, Id. GP
Mr. Sukanta Ghosh,
Mr. Arghya Chatterjee.
...for the State

Mr. Sounak Mondal,
Ms. Gulnaz Quraishi.
...for respondent no. 6

Mr. Souvik Das.
...for respondent no. 7

1. Affidavit-of-service as filed today is taken on record.

2. Despite service the municipality remains unrepresented though respondent nos. 6 and 7 and the State are represented.

3. The petitioner alleges illegal construction at the behest of respondent nos. 6 and 7 at premises no. 34/2, Dharmatalla Lane, Howrah- 711102, P.S. Shibpur. According to the petitioner though the sanction was for G+2 storied building, a G+4 storied building has come up at the site. According to the

petitioner the aforesaid construction does not have the sanction of the municipality.

4. Learned advocate for the respondent no. 7 would submit that the development agreement between the parties has since been cancelled at the instance of the respondent no. 7.

5. Having heard the respective parties though the municipality remains unrepresented, I am of the view that the writ petition can be disposed of by directing the municipality to enquire into the petitioner's complaint and take a decision in this regard after giving opportunity of hearing to the parties and by passing a reasoned order.

6. It is expected that the decision in this regard shall be taken within a period of two weeks from date and the same shall be communicated to the parties.

7. In the event while passing the reasoned order the municipality comes up a finding that there has been illegal construction, appropriate steps shall be taken by the municipality forthwith to bring the illegal construction to a halt and to deal with the same in accordance with law under the provisions of Section 177 of the Howrah Municipal Corporation Act, 1980.

8. It is expected if the proceedings are initiated the same shall be brought to its logical conclusion within a period of six weeks therefrom.

9. Since no affidavits have been called for from the respondents, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

10. With the above directions, the writ petition stands disposed of.

11. There shall be no order as to costs.

12. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Raja Basu Chowdhury, J.)