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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11638 of 2025

Tarak Chandra Paul & Anr.
Versus
The Chairman Bansberia Municipality & Ors.

Mr. Sakabda Roy
... For the petitioners.

Mr. Tapas Kumar Ghosh
Mr. Tanmoy Choudhury
.... For the respondent nos. 1 to 3.

1. Affidavit of service filed in Court is taken on record.
2. Alleging illegal construction at the behest of the respondent no.5 and the failure on the part of the municipal authorities to take steps on the basis of the complaints filed by the petitioners, the instant writ petition has been filed.
3. Learned advocate representing the petitioners would submit that an illegal hutment has been constructed in front of the petitioners' shop room interfering with the egress and ingress to its shop room and its business.
4. The municipality is represented.
5. Having heard the learned advocates appearing for the respective parties and though despite service the private respondent is not represented, I am of the view that it shall be prudent at this stage to direct the municipality to carry out an inspection of the hutment

which is complained of and if it is found that the same has been illegally constructed, take a decision thereon by passing a reasoned order as expeditiously as possible, preferably within a period of two weeks from the date of communication of this order.

6. If the municipality is of the view that the hutment has been illegally constructed, appropriate steps under the provisions of Section 218 of the West Bengal Municipal Act, 1993 shall be taken and the proceedings so initiated shall be brought to a logical conclusion as expeditiously as possible preferably within a period of four weeks from the date initiation of such proceedings.

6. The entire process in this regard shall be completed by the municipal authorities within a period of eight weeks from the date of communication of this order.

7. 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.

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.)