

Dd 8 03.06.2026
/Srimanta

WPA/12117/2026

**KRISHNA DATTA @ KRISHNA DUTTA
VS
STATE OF WEST BENGAL AND ORS.**

*Mr. Debasis Kar,
Ms. Pramita Mukherjee, Advocates
... .. For the Petitioner*

*Mr. Arka Tilak Bhadra, Advocate
... ..for Panihati Municipality*

*Mr. Dibyendra Narayan Ray, sr. Adv./Ld. GP
Mr. Madhu Jana, Id. Junior Govt. adv.
Mr. Rhitam Chatterjee, Advocate
.. ...For the State*

1. The petitioner in the instant case prays, *inter alia*,
for the following reliefs:-

"a) A writ of and/or in the nature of Mandamus commanding the respondent authorities, specifically Respondent No. 2 and 3, to forthwith issue the statutory notice formally declaring the building at Holding Nos. 45, 46, and 47, Ward No. 16, as a "Dangerous Building" and to immediately take all necessary steps to DEMOLISH the said dilapidated structure to ensure the safety of the residents and the general public;

b) A writ of and/or in the nature of Mandamus commanding the Respondent Nos. 2 and 3 to formally revise, reassess, and substantially reduce the property tax bills in light of the building's officially condemned status and the hearing decision dated 04.12.2024, and to refrain from any coercive collection of the exorbitant tax;

c) A writ of and/or in the nature of Mandamus commanding the Respondent No. 4 and 5 to take immediate remedial measures regarding the heavy speed breakers adjacent to the property to abate the public nuisance and severe structural vibrations;

d) An ad-interim order directing the Respondents, including the local police authorities, to immediately execute safety measures and barricade the perimeter of the dilapidated building to prevent any fatal incidents pending the disposal of this writ petition;

e) Rules NISI in terms of prayers (a) to (d) as above;

f) And to pass such other order or orders as the Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. It is submitted that repeated representations have been made before the authority concerned seeking demolition of petitioner's building which has been stated to be in a dilapidated condition apprehending a fatal incident that may occur at any time in near future.
3. The learned counsel appearing for the municipality is unable to demonstrate from any document for non-consideration of the complaint lodged by the petitioner.
4. Having heard the parties and upon perusing the available records, I am of the considered view that petitioner has been able to make out a *prima facie* case and an interference is warranted at this stage.
5. I direct the petitioner to make a further comprehensive representation before the respondent No. 2 within a week from the date of reopening. The respondents are directed to consider such representation within a period of four weeks from

the date of receipt of the representation and pass a reasoned order in accordance with law upon affording opportunity of hearing to the petitioner and other stakeholders, if any, and communicate such decision within a week thereafter.

6. The writ petition is **disposed of** without going into the merits of the case.
7. However, it is made clear that in course of hearing if the condition of the petitioner's building is found to be a dangerous building, the authority concerned shall forthwith take necessary steps in accordance with law.

(Smita Das De, J.)