

Dd 89 29.05.2026
/Srimanta

WPA/12173/2026

SUDIP BHATTACHARYA
VS
HOWRAH MUNICIPAL CORPORATION AND ORS.

*Mr. Joy Chakraborty,
Ms. Ipsita Ghosh, Advocates
... .. For the Petitioner*

*Mr. Sandipan Banerjee, Advocate
... .. For the HMC*

*Mr. Billwadal Bhattacharya, Sr. Adv.
Mr. Sumitava Chakraborty,
Ms. Bratati Pramanik, Advocates
...For the State*

1. The petitioner has challenged the demolition order dated 21.8.2025 which it is submitted has been issued under the provisions of the unamended Howrah Municipal Corporation Act. It is submitted by the learned counsel for the petitioner that the said notice is not in accordance with law and as such, the same may be set aside.
2. Learned counsel for the Howrah Municipal Corporation submits that said provision has been overlooked due to inadvertence and accordingly, liberty may be granted to the Howrah Municipal Corporation to proceed in accordance with law against the petitioner. It also appears that the disputes and the issues are also before the Hon'ble Supreme Court in an SLP.

3. Accordingly, the writ application is disposed of with the direction that the impugned notice be set aside with liberty granted to the Howrah Municipal Corporation to proceed in accordance with law which shall include giving an opportunity of hearing to the writ petitioner.
4. Appearance of the learned counsel for the State be regularized by the West Bengal Legal Remembrancer.

(SHAMPA DUTT (PAUL), J.)