

11.02.2026
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Sl. No. 25
Ct. No. 03

WPA 14118 of 2025

Mahuya Dutta
Vs.
The State of West Bengal & ors.

Ms. Debapriya Majumder
.....for the petitioner
Mr. Supratim Dhar
Mr. Abdus Salam
..... for the State
Mr. Sanjay Mukherjee
Mr. Arghadip Das
Mr. Priyodip Pal
Mr. Chiranjit Pal
.... For the respondent Nos. 7-8

1. The present writ petition has been filed, inter alia, praying for the direction upon the municipal authorities to demolish unauthorized construction as well as dilapidated and dangerous portions of the property situated at No. B-4, 111/C/NEW, Shibrampur Road, Police Station-Maheshtala, Kolkata-700143 under the Maheshtala Municipality, Ward No. 13, appertaining to R.S. Dag No. 338 and 339 corresponding to L.R. Dag No. 431 and 425 under R.S. Khatian No. 647 and 886 having J.L. No. 1, Touzi No. 346 within Mouza-Gopalpur, District-South 24 Parganas.
2. The petitioner claims to be a co-sharer in respect of the above property. According to the petitioner, although the municipal authorities have declared the building in question to be a dangerous

building, the petitioner has not been able to repair the same as the same is beyond repair. In support of his contention, he has relied on a report of the Civil Engineer dated 11th March, 2025 which records that he has inspected the premises in question and the premises is structurally unsafe and also unfit for human residential uses.

3. The private respondent is represented.
4. Mr. Mukherjee, learned advocate representing the private respondent Nos. 7 and 8 by placing before this Court three several photographs of the aforesaid building, would submit that the building in question may require certain repairs but the same under no stretch of imagination can be said to be unsafe or dangerous. According to him, it is the petitioner who has been standing in the way of the private respondents carrying out repairs in the building in question. The municipality is, however, not represented. Despite direction, no affidavits have also been filed by the contesting parties.
5. Having heard the learned advocates appearing for the respective parties, I am of the view that it is for the municipality to take appropriate action in the matter. If the municipality is of the view that the building requires adequate repairs, appropriate notice should be issued. Merely declaring that the building is dangerous without affording the parties

an opportunity to repair may not be an appropriate stand to be taken by the statutory authorities.

6. At this stage, having regard to the peculiar facts noted hereinabove, no interference is called for save and except this order shall not stand in the way of the parties from carrying out repairs of the building in question and municipal authorities from taking steps in accordance with law.
7. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)