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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 14573 of 2025

Shrabani Dey
Versus
Uttarpara Kotrung Municipality & Ors.

Mr. Abu Abbas Uddin
Mr. Amit Ganguly
... For the petitioner.

Mr. Lalit Mohan Mahata
Mr. Himadri Kumar Mahata
... For the State.

Mr. Dipak Kumar Mukherjee
Mr. Rajib Mukherjee
Mr. Siddhartha Banerjee
Mr. Sourish Mukherjee
... For the municipality.

1. Affidavit of service filed in Court is taken on record.
2. The instant writ petition has been filed, inter alia, praying for a direction upon the municipality to forthwith remove the unauthorized shop of the private respondent no.8, situated in front of the petitioner's residence at 186, Makhla, 1 No. Government Colony, under Uttarpara Kotrung Municipality, Ward No.23, Uttarpara, District-Hooghly.
3. Though the private respondent is not represented despite service, the municipality as also the State are represented at the time of call.

4. Mr. Mukherjee, learned advocate representing the municipality has placed before this Court an order dated 29th March, 2025, whereby the municipality had directed the respondent no.8 to remove the unauthorized shop room.

5. According to the learned advocate for the petitioner despite the aforesaid order, no steps have been taken either by the respondent no.8 to remove the unauthorized shop room or by the municipality to enforce the above order.

6. In the peculiar facts noted hereinabove, I am of the view since an order has already been passed by the municipality, it would be prudent at this stage to direct the municipality to take steps in furtherance to the order dated 29th March, 2025, in accordance with law.

7. It is expected that the municipality shall take steps as expeditiously as possible, preferably, within a period of four weeks from the date of communication of this order.

8. At this stage, since, the learned advocate for the municipality would submit that appropriate direction upon the respondent no.7 may be passed to afford adequate assistance to implement the above order, I am of the view in the event, the municipality makes any formal prayer to the respondent no.7 seeking assistance, the respondent no.7 shall be obliged to render such assistance, as sought for, in accordance with law.

9. With the above observations and directions, the writ petition is disposed of.

10. 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 appearing respondents.

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.)