

10. 23.02.2026.
Court No.03.
(Pritam)

**WPA 18619 of 2024
with
CAN 1 of 2024.**

Nirmal Dey & Ors.

-Vs.-

State of West Bengal & Ors.

Mr. Amitava Mukherjee,
Ms. Ankita Ghosh,
Ms. Antara Das,
Ms. Arpita Saha.

.....for the petitioners.

Mr. Sounak Bhattacharya.

.....for the municipality.

1. Affidavit-of-service filed in Court today is taken on record.
2. Complaining illegal construction at the behest of the private respondent no.10 and failure on the part of the municipal authorities to act on the basis of the complaint, the instant writ petition has been filed.
3. The petitioners claim that despite numerous complaints having been made, including the one made on 9th June, 2024, the municipality has failed to take effective steps. Though the municipality is represented, the private respondents are not present.
4. Having heard the learned advocates appearing for the respective parties and noting that an illegal

construction has been made, I am of the view that it shall only be prudent at this stage to direct the municipality to dispose of the same by carrying out an inspection of the locale and by passing a reasoned order. If on the basis of such decision the municipality is of the view that illegal construction has come up, appropriate proceeding under Section 266 of the West Bengal Municipal Corporation Act, 2006 shall be initiated and the same shall be brought to a logical conclusion as expeditiously as possible, but not later than 12 weeks from the date of initiation of the proceeding.

5. Since no affidavit is called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.
6. In light of the above, the instant writ petition along with the connected application stands disposed of.
7. Urgent Photostat certified copy of this order, if applied for, be supplied upon compliance of all formalities.

(Raja Basu Chowdhury, J.)