

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

R.V.W. 249 of 2025

Ms. Chandra Hazra & Anr.

Vs.

The Howrah Zilla Parishad & Ors.

With

CAN 1 of 2025

CAN 2 of 2025

in

MAT 2079 of 2024

For the Applicant : Mr. Debraj De

For the Respondent : None appears

Hearing concluded on : **June 16, 2026**

Judgment on : **June 16, 2026**

Debangsu Basak, J.:-

1. Review of our judgment and order dated November 26, 2024 passed in M.A.T. 2079 of 2024 is sought by two persons.
2. Learned advocate appearing for the review applicants submits that review applicant no. 1 was not given any notice of the demolition proceedings.

3. Learned advocate appearing for the review applicant submits that the flat occupied by the review applicant no. 2 was not declared to be unauthorized. However, in the process of demolition, a portion of such flat was damaged.
4. None appears for the respondent.
5. We disposed of an appeal by the judgment and order under review directed against an order dated September 26, 2024 passed in WPA 22845 of 2024.
6. Learned Single Judge, on a challenge thrown to an order of demolition passed by the Howrah Zilla Parishad directed the Howrah Zilla Parishad to revisit the matter in the light of Regulation 15 Chapter IV of the Howrah Zilla Parishad Bye-Laws to decide if there is any scope for the regularization of the unauthorized construction or not.
7. By the judgment and order under review, we held regularization was not permissible on the ground that requiring the Howrah Zilla Parishad to consider regularization of admittedly unauthorized construction will put a premium of unauthorized construction which is inimical to the society. We also held that deviation from sanctioned building plan are not to be accepted. A Special Leave Petition was carried out against

the judgment and order under review. Special Leave Petition was not admitted.

8. As noted above, two persons are before us. Review applicants were not parties to the writ petition or to the appeal.
9. Out of the two review applicants, the right of one of the review applicants namely, review applicant no. 2 is allegedly affected by alleged excess demolition. In other words, a portion of the property of the review applicant no. 2 stood damaged due to the demolition effected.
10. The review applicant no. 2 can avail of the remedies with regard to the damages, if any, suffered, in the alleged excess demolition before an appropriate forum. Review of the judgment and order dated November 26, 2024 is not called for on such aspect. No error apparent on the face of record is shown to us by such review applicant.
11. So far as the other review applicant namely review applicant no. 1 is concerned who admittedly occupied an unauthorized construction, the contention is that such review applicant was not given notice of the order of demolition.
12. With respect the review applicant no. 1 is not claiming any right which is higher or superior to the right enjoyed by other

- occupants of the premises. Admittedly other occupants of the premises received notice of the order of demolition.
13. Moreover, the effort was for regularization of an admittedly unauthorized construction which resulted in the judgment and order under review. Review applicant no. 1 in such factual matrix cannot be heard to contend that no notice of demolition was given to it. It is occupying an unauthorized construction knowing fully well about its status.
14. No material is brought to our notice that establishes error on the face of the record in the judgment and order under review.
15. In such circumstances, we are not in a position to revisit our judgment and order dated November 26, 2024 at the behest of the review applicants.
16. **R.V.W. 249 of 2025** and the applications being **CAN 1 of 2025** and **CAN 2 of 2025** are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

17. I agree

S.D.

(Md. Shabbar Rashidi, J.)