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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21124 of 2025

Smt. Usha Das
Versus
The State of West Bengal & Ors.

Mr. Partha Pratim Roy
Mr. Samrat Chakraborty
... For the petitioner.

Mr. Malay Kumar Singh
Mr. Neelam Singh
... For the State.

Mr. Ayan Banerjee
Mr. Dhiman Banerjee
... For the municipality.

Mr. Nilanjan Bandyopadhyay
... For the respondent no.6.

1. Affidavit of service filed in Court is taken on record.
2. The petitioner claims that an unauthorized construction has come up at R.S. Dag No. 5607, holding no.7 B.M. Road, Ward No. 3, P.S. Srirampore, Mouza – Gourhati, Champdani, Dist. Hooghly.
3. The petitioner also claims to be a co-owner of the above property and accordingly alleging that the sanction was granted on the basis of suppression had made an application for cancellation of the sanctioned building plan. Since, the municipal authorities were not taking steps and also complaining illegal construction, the petitioner had previously filed a writ petition, being WPA

21201 of 2024. Such writ petition was disposed of by an order dated 19th May, 2025, inter alia, directing the municipality to decide the petitioner's representation dated 8th July, 2024 within a period of eight weeks from the date of communication of the order.

4. Pursuant to the aforesaid, the municipality had purportedly disposed of said representation by passing a reasoned order dated 15th July, 2025.

5. Learned advocate for the petitioner would submit that once the Chairman of the municipality had concluded that the sanction was obtained by suppression of facts, it was the obligation of the municipality to place the matter before the Board of Councillors for appropriate action in this regard. No steps have, however, been taken so far.

6. Mr. Banerjee, learned advocate appears for the municipality. He submits that the matter is under active consideration before the Board of Councillors.

7. Having heard the learned advocates appearing for the respective parties and noting that the petitioner's representation has already been partially considered, I am of the view that the municipality should take steps in the matter and finally dispose of the same by taking consequential steps as are necessary in relation to obtaining a sanction building plan by suppression, within a period of four weeks from the date of communication of this order, unless there is any legal impediment in taking such steps.

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

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.)