

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 23342 of 2025

Ajay Makharia & Ors.
Versus
The Asansol Municipal Corporation & Ors.

Mr. Biswaroop Bhattacharya
Mr. Vivekananda Bose
Mr. Ratikanta Pal
... For petitioners.

Mr. Sounak Bhattacharya
... For Asansol Municipal Corporation.

Mr. Sakya Sen, Sr. Advocate
Mr. Sajal Kumar Ghosh
Mr. Rishab Deb Burman
Mr. Bishal Mondal
Mr. A. Masud Molla
... For the respondent no.9.

1. Challenging the order dated 9th September, 2025, passed by Asansol Municipal Corporation directing demolition of masonry/RCC structure with tin shed (commercial) measuring an area of 82.062 sq.mt. equivalent to 882.987 sq. ft. situate near Gurudwara Bhawan, Rambandhu Talaw, Asansol P.S. Asansol (S) Ward No. 43, Dist. Paschim Bardhaman erected by the petitioners, the instant writ petition has been filed.

2. Having heard the learned advocates appearing for the respective parties and noting that admittedly in this case the petitioners were not supplied with the copy of the complaint lodged by the private respondent which triggered the proceedings before the municipal

corporation and the inspection report, I am of the view that the matter may be remanded back to the municipal corporation on the limited ground with a direction upon the municipal corporation to make available the copy of the complaint lodged by the private respondent and the inspection report based on which the order dated 9th September, 2025 was passed.

3. Accordingly, let the aforesaid document be supplied to the petitioners within a period of one week from date. The petitioners shall be at liberty to respond to the same within a period of two weeks therefrom.

4. The municipal corporation must take a decision in the matter on the basis of the response filed by the petitioners and upon giving an opportunity of hearing to the parties as expeditiously as possible, but not later than six weeks from the date of communication of this order.

5. Accordingly, the order dated 9th September, 2025 stands set aside on the limited ground, as aforesaid.

6. 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.)