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08.06.2026
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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 24274 of 2024

Atirath Santra
Versus
Tamralipta Municipality & Ors.

Mr. Debnath Ganguly
Mr. Aranya Saha
Mr. Supriyo Dutta
... For the petitioner.

Mr. Gopal Chandra Das
Ms. Ananya Das
... For the municipality.

Mr. Pappu Adhikari
... For the respondent no.5.

1. Today, Mr. Das, learned advocate representing the municipality would submit that though the report is not ready, however, the aforesaid issue of illegal construction may be relegated to the municipality for a decision in the matter.

2. Having heard the learned advocates appearing for the respective parties, I am of the view since the allegation of illegal construction has been made, without going into the correctness thereof, the municipality must decide on the same on an expeditious basis. It is made clear that the municipality shall, however, not enter into any title disputes regarding the property.

3. It is expected that the municipality shall decide the issue by passing a reasoned order upon giving an

opportunity of hearing to the parties concerned, preferably within a period of sixteen weeks from the date of communication of this order.

4. 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 respondents.

5. 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.)