

05.05.2026
sayandeep
Sl. No. ML 25
Ct. No. 03

WPA 25963 of 2025

Sri Nadiram Halder & anr.
Vs.
State of West Bengal & ors.

Mr. Arijit Sarkar
Mr. Sagnik Chatterjee

.....for the petitioners

Mr. Shyama Prasad Purkait

.... For the respondent No. 3

Mr. Sabyasachi Mondal
Ms. Payel Khanra

..... for the respondent No. 5

- 1.** Pursuant to the order dated 9th February, 2026, the municipality has filed a report in the form of an affidavit in Court today which is taken on record.
- 2.** From the above report, it would transpire that the field enquiry was conducted by the Sub Assistant Engineer on 28th March, 2026 at the residence of Nadiram Halder and Ashalata Mondal. On the basis of the inspection carried out, it transpires that no new construction is or was made by the Ashalata Mondal over her portion. The boundary which is in front of the house is very old, though a new plastering work is done in respect of the outer portion of the boundary wall.
- 3.** Having regard to the disclosure made in Court today, the claim made by the petitioners that the private respondent without any sanction has proceeded with

the construction of a boundary wall does not appear to be justified.

4. The writ petition is accordingly dismissed by retaining the report filed by the municipality on record.
5. It is however, made clear that the dismissal of the writ petition shall not authorize the private respondent from carrying out any construction *de hors* the municipal laws.

(Raja Basu Chowdhury, J.)