

17.02.2026
sayandeep
Sl. No. 17
Ct. No. 03

WPA 27737 of 2025

Chandrani Bhattacharjee
Vs.
Kanchrapara Municipality & ors.

Mr. Vivekananda Bose
Mr. Ratikanta Pal

..... for the petitioner

Mr. Sounak Bhattacharya
Mr. S. Mondal
Mr. Abhirup Halde

..... for the respondent Nos. 5 to 8

1. The affidavit-of-service filed in Court today is taken on record.
2. Alleging illegal construction at the behest of the private respondent Nos. 5 to 9 at LR Plot No. 1819 holding No. 54 Mouza-Bahirbag, P.S. Bizpur, District-24 parganas North, the instant writ petition has been filed.
3. According to the petitioner, though the petitioner has made a complaint on 22nd September, 2025, the municipal authorities have not taken any steps in this regard. Although, the municipality is not represented, the private respondent Nos. 5 to 8 are represented. The learned advocate for the respondent Nos. 5 to 8 has placed before this Court a sanctioned building plan for construction of 3 storied residential building at plot No. 1819 Khatian No. 2358 JL No. 2 Mouza Bahirbag, P.S.-Bizpur, North 24 parganas under Kanchpara Municipality.

4. According to the learned advocate for the private respondents, the construction has been carried out in accordance with the sanctioned building plan and there is no deviation. He would further submit that a civil suit is at present pending between the parties wherein the private respondents had sought for a declaration that the private respondents as plaintiffs are owners in respect A Schedule property and for a decree for recovery of possession.
5. Having heard the learned advocates appearing for the respective parties and considering the materials on record though the municipality is not represented, I am of the view that considering the peculiar facts, it would only be appropriate to direct the municipality to decide on the representation made by the petitioner. However, at the same time, the municipality while deciding the cause, must take note of the fact that there is a subsisting civil suit and it is not within the domain of the municipality to enter into the scope of the suit.
6. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)