

21.01.2026
sayandeep
Sl. No. 16
Ct. No. 03

WPA 28610 of 2025

Papia Sarkar Maiti & ors.
Vs.
The State of West Bengal & ors.

Mr. Golam Mastafa
Mr. Tarasankar Samanta
..... for the petitioners

Mr. NaraNarayan Ganguly
Ms. Tanima Sengupta
..... for the State

Mr. ALok Kumar Ghosh
Mr. Gopal Chandra Das
Ms. Ananya Das
..... for the Municipality

Mr. Chittapriya Ghosh
Mr. Uttam Banerjee
Ms. Priyanka Saha
.... For the respondent No. 7

1. Complaining illegal construction and/or deviation of the sanctioned building plan at the instance of the private respondent No. 7, a complaint was lodged with the Chairman of the municipality and the sub divisional officer, Tamluk municipality on 3rd December, 2025. According to the petitioner since the complaint was not adhere to, the instant writ petition has been filed.
2. Having heard the learned advocates for the respective parties and noting that the petitioner claims to be recorded owner of 8 decimals of Bastu land in LR Plot No. 1506, JL No. 279, Mouza- Dharinda, P.S. Tamluk, Purba Medinipur and the construction that is taking place is at the adjacent plot, in my view, since the complaint had already been lodged by the

petitioners, it shall only be appropriate for this Court to direct the municipality to carry out an inspection and decide on the petitioners' complaint in accordance with law by giving appropriate opportunity of hearing to the parties and by passing a reasoned order. If on the basis of such enquiry, the municipality is of the view that any illegal construction has taken place, appropriate steps shall be taken. On the contrary, if no illegal construction is noted, the matter need not be proceeded further. The entire process in this regard shall be completed within a period of 12 weeks from the date of communication of this order.

3. 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.
4. It is also made clear that this Court had not entered into the merits of the cause and it shall be open to the municipality to decide the complaint independently, being uninfluenced by any of the observations made herein.
5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)