

In The High Court at Calcutta

In The Circuit Bench at Jalpaiguri

Appellate Side

Ct. No. 5 **27.02.2026**
JPD
Item No. 5 SM

WPA 231 of 2026

Upendra Sharma

Versus

Siliguri Municipal Corporation & Ors.

Mr. Arnab Sengupta

Mr. Rahul Agarwal

Mr. Jai Agarwal

Mr. Vivek Sharma

.....for the petitioner

Mr. Bijay Bikram Das

Mr. Deborshi Dhar

.....for the Siliguri Municipal Corporation

Mr. Mayank Roy

Mr. Gopal Roy

.....respondent nos. 4 & 5

1. Affidavit-of-service filed be kept with the record.

2. The writ application has been preferred praying for direction upon the respondent no. 3 to forthwith implement and give effect to the reasoned demolition order dated 05.01.2026 by removing/demolishing the unauthorized construction raised by the private respondents, within a time bound period.

3. On hearing the learned counsels for the parties, and on perusal of the materials on record it appears that an order was passed by the respondent no. 3 in compliance of a direction passed by the High Court in WPA 1810 of 2025.

4. It is admitted by the respondent no. 3 that there has been laches on their part and they have failed to comply with the said order wherein necessary action was to be taken on or before 24.01.2026.

5. Learned counsel appearing for the respondent no. 3 give an undertaking that the said order shall be duly complied within four weeks from the date of this order.

6. Considering the said undertaking given, the writ application is disposed of with the direction that the respondent no. 3 shall ensure that the said order dated 05.01.2026 is duly complied with within four weeks from the date of this order.

7. **WPA 231 of 2026 stands disposed of.**

8. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]