

Item No.38
11.02.2026
Court. No. 6
(gc)

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 1276 of 2025

North Eastern Foundation for Social Sciences Research,
Jalpaiguri
Vs.
The State of West Bengal & Ors.

*Mr. Pragyadip Roy Basunia,
Mr. Binapani Singha,
Mr. Jagesh Ch. Roy,
Mr. Debojyoti Roy*

...for the Petitioner.

*Mr. Nabankur Paul,
Ms. Rima Sarkar*

...for the State.

*Mr. Bikash Singha,
Mr. Aniruddha Tarafder*

...for the Respondent No.6.

*Mr. Pretom das,
Mr. Abhishek Sen*

...for the Municipality.

1. The petitioner alleges that the respondent no.6 has constructed a building without following the municipal building rules. Such allegation is denied by the learned Advocate for the respondent No.6. It is submitted that the construction was made upon compliance of all necessary formalities and as per the sanction granted by the Jalpaiguri Municipality.
2. The writ petition is disposed of with a direction upon the appropriate authority of the Jalpaiguri

Municipality to consider and dispose of the complaint raised by the petitioner and while doing so, the following procedure shall be adhered to by the authority.

- a) A notice of inspection of the premises shall be issued to the parties. The inspection team will comprise of an engineer of the municipality.
 - b) The inspection shall be held in the presence of all the parties.
 - c) A report shall be prepared and handed over to the parties.
 - d) The parties will be entitled to respond to the said report.
 - e) Thereafter, the appropriate authority under the law shall call the parties for hearing and pass a reasoned order.
 - f) The parties will be entitled to make their oral submission and also file their written versions.
3. The entire issue shall be considered by the competent authority of the municipality as per law and a reasoned order shall be passed and served upon the parties.
4. It is needless to mention, in the event it is found that any part of the construction is either without sanction or contrary to the building rules, in that

event, necessary steps shall taken, as permitted by law, including demolition of those portions.

5. The entire exercise shall be completed within a period of eight weeks from the date of communication of this order.
6. Accordingly, the writ petition is disposed of.
7. There shall be no order as to costs.
8. The parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)