

AD 19
07.05.2026
sayandeep
Ct.3.

WPA 10167 of 2026

Jyoti Shaw & anr.
Versus
The State of West Bengal & Ors.

Mr. Dipankar Aditya
Ms. Aishwarya Priya Raha
..... for the petitioners

Mr. Rajib Mukherjee
Ms. Shreyashi Bhaduri
... for the municipality

Mr. Indranuj Dutta
Mr. Rahul Ghoshal
Ms. Benazir sk.
Mr. Jhantu Sundu
..... for the respondent Nos. 4-6

1. On the prayer of the learned advocate for the petitioners, leave is granted to the petitioners to add Bhatpara Municipality, 1/1 Ghoshpara Road, P.O. Kankinara, North 24 Parganas as an added respondent in course of the day.
2. Complaining illegal construction at the behest of the private respondents who are the neighbours of the petitioner and the respondent No. 7 which is a local club and the failure on the part of the respondents to arrest illegal construction, the instant writ petition has been filed. The petitioners claim to be the co-owner in respect of the piece and parcel of land measuring 3 kattah situated at Mouza Sundia recorded on 286 corresponding to LR Dag No. 1553, Khatian No. 226 holding No. 24/1/6 located in Mulajora Road, P.S. and P.S

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Jagaddal, North 24 Parganas . The petitioners would complain that very recently the petitioners detected that the private respondents has commenced construction on an adjacent plot which seeks to interfere with the egress and ingress of the petitioners' to their property.

3. Learned advocate for the petitioners has drawn attention of this Court to page 46 of the writ petition and would submit that the construction if permitted to come up, shall cause interference with the right of egress and ingress to their property. The private respondents are represented.
4. The learned advocate for the private respondents would submit that private respondents are not involved in the construction.
5. The municipality is represented.
6. Having heard the learned advocates appearing for the respective parties, I am of the view that the municipality should forthwith carry out an inspection at the locale and file a detailed report before this Court when the matter is taken up next indicating the extent of construction carried out. The municipality should also disclose whether any sanction has been granted by the municipality to commence

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the construction.

7. List this matter in the combined monthly list of June, 2026.
8. It is made clear that pendency of the writ petition shall not stand in the way to arrest the illegal construction, if any.

(Raja Basu Chowdhury, J.)