

18.06.2026
Ct. 3
Item No.
AD 8
Saswata

WPA 13269 of 2026

**Soumik Bose
Versus
The State of West Bengal; & Ors.**

Mr. Akashdeep Mukherjee
Mr. Souummyadeep Nag
Mr. Nasrin Nahar

...For the petitioner

Mr. Sovan Mukherjee

...For the State

1. Affidavit of service filed in Court today is retained with the record.
2. Despite service, the municipality is not represented.
3. The petitioner is aggrieved by the fact that the municipal authorities without providing an opportunity of hearing to the petitioner through the Executive Engineer of New Barrackpore Municipality had issued a notice against the petitioner.
4. Learned advocate appearing for the petitioner submits that the construction carried out by the petitioner is in accordance with the sanctioned building plan. Unfortunately, notwithstanding the aforesaid, the municipality has proceeded to call upon the petitioner to demolish the unauthorized portion without identifying which portion is unauthorized.
5. Having heard the learned advocates appearing for the petitioner and though the municipality remains

unrepresented despite service, I am of the view that having regard to the case made out by the petitioner, the petitioner is entitled to an interim order, since the notice dated 12th June 2026 does not identify the unauthorized portion, which the petitioner is required to demolish.

6. This apart, since the petitioner also complains violation of principles of natural justice, there shall be an interim order restraining the municipality from proceeding with the notice of demolition dated 12th June 2026 for a period of three weeks from date or until further orders whichever is earlier.

7. List this matter under the same heading on **8th July 2026**.

8. The petitioner is directed to communicate this order to the non appearing respondents and to file affidavit of service on the returnable date.

(Raja Basu Chowdhury, J.)