

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

CPAN 1504 of 2024
in
WPA 22618 of 2022

Binay Kumar Mondal & Ors.
Vs.
Sujay Sarkar

Mr. Rabindra Narayan Dutta
Mr. Sibansh Ghosh
Ms. Debjani Bandyopadhyay
... For the petitioners

Mr. Tirthankar Dey
... For the BMC

Mr. Subhayu Das
Mr. Benazir Ahmed
... For the State

1. The Action Taken Report filed by the engineers of the Bidhannagar Municipal Corporation signed on 19th February, 2026 and the compliance report filed by the police be retained with the records.

2. On perusal of the said reports the Court is appalled by the inertia of the Corporation and the police to take steps to vacate the structures (six) constructed unauthorizedly in aid of demolition.

3. The contempt application was taken up for consideration by the Court on 14th August, 2025 and specific direction was passed upon the Commissioner of Police, Bidhannagar Police Commissionerate to render all help and assistance to the men and agents

of the Corporation at the time of execution of the order of demolition.

4. It was clarified that the police will be responsible for removing the occupants from the unauthorizedly constructed portions by using reasonable force. The occupiers occupying the unauthorizedly constructed portion were restrained from interfering with the work of demolition.

5. Despite such order being passed, the engineers of the Corporation have reported that on 12th February, 2026, demolition team of the Corporation gathered at the spot with the police for demolition of the one storied structure which was occupied by the caretaker of the structure. The police was able to partially vacate the said structure.

6. It has been submitted by the parties that there are as many as six single storied unauthorized buildings which are required to be demolished. Against the order of demolition, an appeal has been carried in respect of only one unauthorized construction. There is no proceeding whatsoever in respect of other five unauthorized constructions.

7. The Corporation ought to have taken diligent steps for demolishing the same. The Corporation failed to take appropriate steps.

8. On the prayer of the learned advocate representing the Corporation seeking a further chance to execute the order of demolition, hearing of the

contempt application stands adjourned till 18th June, 2026.

9. The Commissioner of Police, Bidhannagar Police Commissionerate shall take steps in terms of the direction passed in the order dated 14th August, 2025.

10. It is made clear that in the event the unauthorized constructions are not brought down prior to the adjourned date, then the Court will be constrained to pass stringent orders against the officers of the Corporation and the Bidhannagar Police Commissionerate.

11. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

(Amrita Sinha, J.)