

17.09.2025
Sl. No. 6
Ct No. 3
SG

WPA 25866 of 2024

**Debashis Maity
Vs
The State of West Bengal & Ors.**

Mr. Kartik Kumar Ray,
Mr. K.M. Hossain.

...for the petitioner

Mr. Sankha Subhra Ray.

...for the municipality

Mr. Arjun Roy Mukherjee,
Mr. A. Sarkar.

...for the State

Mr. S.K. Bhattacharyya
Ms. P. Dey.

...for respondent no. 7

1. The petitioner has preferred the present writ petition challenging the inaction on the part of the respondent authorities in not taking any steps to demolish the unauthorized construction alleged to be raised at Mouza- Belghoria, J.L. No. 3, Touzi No. 172, L.R. Plot No. 974, P.S.- Baranagar, Dist. North 24 Parganas at the instance of respondent nos. 7 and 8.

2. It is the case of the petitioner that he is the owner of the adjacent plot of land situated at Mouza- Belghoria, J.L. No- 3, L.R. Dag No. - 977 under Baranagar, Dist. - North 24 Parganas. It is the contention of the petitioner that the private respondent nos. 7 and 8 are raising illegal and unauthorized construction at the said plot of land encroaching upon

the six feet wide common passage located at the southern portion of the said L.R. Plot No. 974. The petitioner also contended that he has also preferred a M.P. Case No. 3860 of 2023 under Section 144(2) of the Cr.P.C. before the Executive Magistrate. Learned Counsel for the petitioner further submits that despite several representations being made before the respondent authority, no action has been taken till date.

3. Learned Counsel for the respondent-Belghoria Municipality seeks and is granted four weeks time to file his affidavit-in-opposition. Reply thereto, if any, be filed within two weeks thereafter.

4. Learned Counsel for the private respondent nos. 7 and 8 seeks and is granted four weeks to file his affidavit-in-opposition. Reply thereto, if any, be filed within two weeks thereafter.

5. List this matter on 16.12.2025.

(Gaurang Kanth, J.)