

16.05.2026
sayandeep
Sl. No. 05
Ct. No. 03

WPA 26952 of 2024

Sonali Mondal Panja
Vs.
The State of West Bengal & ors.

Mr. Jagabandhu Roy
Mr. Ziaul Haque

..... for the petitioner

Mr. Sukanta Ghosh
Mr. Arghya Chatterjee

..... for the State

1. The affidavit-of-service filed in Court today is taken on record. Despite service, apart from the State, the other respondents including the private respondent are not represented. According to the petitioner, the private respondent is carrying out illegal construction over a plot No. 662/971 which has been renumbered as Hal-No. 84, Khatian No. 146, Classification-Kala, under Mouza Chaktarayan, P.S. Haldia, Purba Medinipur. The learned advocate for the petitioner by referring to the complaint dated 1st October, 2024, would submit that though the club is only the owner in respect of 1 decimal of land in plot No. 84, the construction carried out by the club is beyond the area of one decimal.
2. Having heard the learned advocates appearing for the respective parties and noting that the complaint has been made and since the petitioner would submit that construction carried out by the respondent No. 5 is

already complete, in my view no fruitful purpose would be served by keeping the writ petition pending. Accordingly, the writ petition is disposed of by directing the municipality to carry out an inspection at the locale and if on the basis of the inspection to be carried out, any illegal construction is noted to have been carried out at the behest of the respondent No. 5, appropriate proceedings shall be initiated under the provisions of Section 218 of the West Bengal Municipal Act, 1993 (hereinafter referred to as the said Act)

3. It is made clear that if the municipality is of the view that no illegal construction has taken place, decision in this regard by passing a reasoned order shall be communicated to the petitioner.
4. It is expected that the proceedings as aforesaid shall be completed by the municipality on an expeditious basis preferably within a period of 16 weeks from the date of communication of this order.
5. Since no affidavit-in-opposition has been called for, the allegations made in the writ petition, are deemed not to have been admitted by the respondents.

(Raja Basu Chowdhury, J.)