

Court No. 2
25.11.2024

(Item No. ADSL
1)

(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 27575 of 2024

Vishal Singh
VS

Bidhannagar Municipal Corporation & Ors.

Mr. Shaunak Ghosh
Ms. Sambrita B. Chatterjee
.... For the petitioner

Mr. Tirthankar Dey (VC)
.... For BMC

Ms. Sima Ghosh
Mr. Sanjoy Patra
.... For respondent Nos. 3 to 5

Upon urgency being pleaded as the petitioner has allegedly suffered a threat of demolition as submitted by Mr. Shaunak Ghosh, learned counsel for the petitioner, on instruction from his client that, a notice of demolition dated **October 3, 2024** has been served today morning upon the petitioner, this writ petition has been taken up for consideration as the determination has been assigned for the day before this Court by publishing the same in the supplementary cause list.

Referring to the above impugned order dated **May 30, 2024, annexure P-21** at **page 149** to the writ petition holding illegal and unauthorized construction against the petitioner at **premises No. DC- 1/1, Narayantala (W) Chawalpatti, Baguiati, Kolkata – 700 059**, the petitioner submits that, on the one hand concerned Municipal Corporation held that the genuineness of the plan is not known and on

the other hand it held that there are violation of Building Rules allegedly violated by the petitioner.

Mr. Tirthankar Dey, learned counsel appearing (on virtual mode) for respondent Nos. 1 and 2 submits that, the impugned order dated **May 30, 2024** was served upon the petitioner on the same day itself. Thereafter the demolition order dated **October 3, 2024**, as placed on behalf of the petitioner today in Court, was served upon the petitioner on **October 5, 2024**. Subsequently on **October 29, 2024** the demolition notice was also pasted on the conspicuous wall of the subject premises.

Be that as it may, all these facts are required to be considered. More so, this is not the regular bench.

Considering the above, learned counsel appearing for respondent Nos. 1 and 2, on instruction from his clients, in his usual fairness submits that his clients shall not take any further and coercive steps for **next seven days**.

The writ petition shall appear before the regular bench.

Parties shall be at liberty to mention the matter before the regular bench upon notice to each other.

(Aniruddha Roy, J.)