

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 27941 of 2025

Amitava Sadhukhan & anr.
Versus
HMC & Ors.

Mr. Sounak Bhattacharya
Mr. Souvik Das

... For the petitioners

Mr. Sandipan Banerjee
Mr. Ankit Sureka

.... For the HMC

1. Pursuant to the order dated 5th January, 2026, the records have been produced. From the records, it transpires that the municipality is proceeding on the premise that though a permission was granted by the municipality for change of roof in respect of holding No. 8 Kalupara Lane, Ward No. 4, P.S. Malipanchghara, Howrah, however, the person responsible while casting the roof has also constructed a verandah at the first floor level which was not in the existing portion.
2. Mr. Bhattacharya, learned advocate representing the petitioners on the other hand would submit that verandah at all material time existed on the first floor portion at least from the plan sanctioned by the municipality the existence of the verandah can be noted.

3. Having heard the learned advocates appearing for the respective parties and noting that the entire proceedings of unauthorized construction has been initiated at the instance of Shyam Sundar De son of Late Chandi Das De resident of 103/1 Bazalpara lane, I am of the view that the aforesaid person should be heard. Accordingly, the petitioners are directed to communicate this order to the aforesaid Shyam Sundar De indicating that the matter shall be taken up for consideration on 25th March, 2026. The interim order passed herein shall continue till the end of May, 2026 or until further order whichever is earlier.
4. The original case records as produced is hereby returned to the learned advocate for the municipality for further production on the returnable date.

(Raja Basu Chowdhury, J.)