

09.7.2025
Sl. No.**23**
Court no.IV
nb

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

WPA 1273 of 2025

Basant Bahadur Lama @ Basant Lama
Vs.
Siliguri Municipal Corporation & Ors.

Mr. Debasish Mukhopadhyaya,
Ms. Srishti Sarkar
.... for the petitioner.
Mr. Bijay Bikram Das,
.... for the Municipal Corporation..

Affidavit of service filed by the petitioner is taken
on record.

As prayed for leave is granted to add the
Commissioner, Siliguri Municipal Corporation as a
party to the writ petition.

The petitioner is aggrieved by the inaction on
the part of the respondent Municipal Authorities in
taking steps against the respondent nos.5 to 7 for
such respondents allegedly indulging in unauthorised
construction over the land claimed to be owned by the
petitioner.

Learned counsel appearing for the petitioner has
invited the attention of this Court to a representation
dated May 15, 2025 made by the petitioner to the
Commissioner, Siliguri Municipal Corporation thereby
requesting the said authority to act against the

respondent nos.5 to 7 and to stop all construction activities by the state respondents over the petitioner's property till disposal of the said writ petition.

Having regard to the nature, grievance made by the petitioner, this Court of the view that justice would be served if the respondent Municipal Authority i.e. the Commissioner, Siliguri Municipal Authority is directed and to ascertain as to whether unauthorised construction is being done by at the behest of the respondent nos. 5 to7 at the petitioner's property. In case, the Commissioner, Siliguri Municipal Corporation finds that unauthorised construction is being done or has been done by the said respondents(respondent nos. 5 to.8), the Commissioner shall take appropriate steps to stop further construction and draw appropriate proceedings to demolish unauthorised constructions upon hearing the respondent nos. 5 to 8 as well as the petitioner and upon passing order therefor in accordance with law.

WPA 1273 of 2025 stands disposed of with the aforesaid observations.

Urgent certified photo copy of this order, if applied for, be supplied as expeditiously as possible.

(Om Narayan Rai, J.)