16.11.2026
Sl.No. 2
Ct.No. 447
Amalranjan

IN THE HIGH COURT AT CALCUTTA
APPELLATE WRIT JURISDICTION
APPELLATE SIDE

WPA/26331/2025
ARJUN DAS AND ANR.
VS
HOWRAH MUNICIPAL CORPORATION AND ORS.

Mr. Animesh Paul
...for the petitioners

Mr. Ankit Sureka
Ms. Sonal Sinha
...for the HMC

Mr. Sanjib Seth
...for the respondent no. 4

1. Let the report filed by the Howrah Municipal Corporation in court today be kept with the record.

2. From the affidavit of report, it appears that the parties were heard on August 4, 2025 and thereafter a notice for demolition by the person making alleged unauthorized construction himself has been issued by the Howrah Municipal Corporation on October 30, 2025, which is the subject matter of challenge in the writ petition.

3. However, there is no reasoned order in the record in terms of Section 177(1) of the Howrah Municipal Corporation Act, 1980.

4. Heard the learned counsel for the parties.

5. In absence of the reasoned order in terms of Section 177(1) of the said Act, the notice dated October 30, 2025 could not have been issued by the Municipal Authorities. As such the entire proceeding as well as the notice dated October 30, 2025 are quashed and set aside.
6. The Authorities of Howrah Municipal Corporation shall initiate a fresh proceeding in respect of the alleged unauthorized construction within a period of fortnight from date and conclude the same strictly in accordance with law within a period of 4 weeks from the date of issuance of notice asking the parties to appear before the Authorities for the purpose of hearing.
7. The Municipal Authorities shall hear the parties and pass a reasoned order in the proceeding in terms of Section 177(1) of the said Act.
8. In case the Municipal Authorities find that there is unauthorized construction, appropriate steps shall be taken by them within a period of 4 weeks from the date of the order to be passed in the proceeding.
9. With these observations, **WPA 26331 of 2025** is **disposed of**.
10. No order as to costs.

11. All parties shall act in terms of the copy of this order duly downloaded from the official website of this court.

12. Urgent certified photocopy of this order, if applied for, be supplied to the parties taking all legal formalities.

(Sandip Kumar De, J.)