

**11.09.2026**

**Sl.No. 29**

**Ct.No. 39**

Amalranjan

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

**WPA/20988/2023**

**MAHADEB SINGH AND ANR.  
VS.  
THE UTTARPARA KOTRUNG  
MUNICIPALITY AND ORS.**

Mr. Sk. Aptabuddin

...for the petitioners

1. Affidavit of service filed by the petitioners in court today is taken on record.
2. Despite service, none appears on behalf of the Municipality as well as the private respondent no. 6.
3. This is the second round of litigation.
4. The petitioners filed this instant writ petition seeking only compliance of the order dated 15.02.2022 passed by the Executive Officer, Uttarpara Kotrung Municipality.
5. By the said order, the private respondent no. 6 was directed to demolish the unauthorized boundary wall as mentioned in the body of the order.
6. It is the specific case of the petitioners that earlier writ petition was filed before this court being W.P.A. 14083 of 2019 (Mahadeb Singh & another Vs. The Uttarpara Kotrung

Municipality) claiming that the respondent no. 6 had constructed the unauthorized boundary wall on common passage belonging to the petitioners and without getting permission from the concerned municipality.

7. Upon hearing the parties, the Hon'ble Single Bench disposed of the said writ petition by directing the Chairperson, The Board of Administrator of the Uttarpara Kotrung Municipality, to dispose of the representation of the petitioners dated June 22, 2019 in accordance with law.
8. It was further directed that while disposing of the said representation, all necessary parties should be heard and pass a reasoned order and communicate the same to the parties within a period of 8 weeks from the date of communication of the said order.
9. In pursuance of the order dated 17.09.2021 passed by this court in W.P.A. 14083 of 2019 (Mahadeb Singh & another Vs. The Uttarpara Kotrung Municipality), the Executive Officer, Uttarpara Kotrung Municipality heard the matter in presence of all necessary parties and finally decided the issues raised by the present petitioners and come to a conclusion that the private respondent no. 6 in the present writ

petition has violated the provisions of West Bengal Municipal (Building) Rules – 2007, Rule 73 as prescribed in the minimum height of the boundary wall, which in the instant case is 12'-8" (Length) X 6'x5"(Height). The said Officer also held that no permission was granted in favour of the respondent no. 6 for erecting such boundary wall. The reasoned order was communicated to the respondent no. 6 vide Memo No. 4/860(3) dated 15.02.2022 directing the respondent no. 6 to demolish the boundary wall in question.

10. Learned counsel for the petitioners contends that till date no boundary wall has been demolished by the private respondent no. 6 as such direction may be passed to the authority to demolish the boundary wall for compliance with the order dated 15.02.2022.

11. Having heard the submission and on perusal of the order passed by the concerned officer, this court clearly finds that the boundary wall erected illegally by violating the provisions of West Bengal Municipal (Building) Rules – 2007. Therefore, the respondent no. 4/ Executive Officer, Uttarpara Kotrung Municipality, is directed to look into the matter and take necessary steps, so that demolition can be

effected within a period of 4 weeks from date of communication of this order, if no demolition work done previously.

12. With the above observations, the writ petition **WPA 20988 of 2023** is, thus, disposed of without order as to costs.

13. Consequently, connected application, if any, is also disposed of.

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

**(Ajay Kumar Gupta, J. )**