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26.03.2021.  
d.p.

**W.P.A 2234 of 2021  
(Via Video Conference)**

**Sk. Kabir Uddin  
-versus  
The State of West Bengal & Ors.**

**Mr. Saibal Acharya,  
Mr. S. Shah,  
...For the Petitioner.**

**Mr. R.N. Chakraborty.  
...For the Municipality.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner alleges illegal and unauthorized construction.

The Maheshtala Municipality issued a notice upon the person responsible to discontinue the construction work, which has been initiated without any sanction plan or deviation of the plan sanctioned.

The petitioner alleges in spite of the aforesaid stop work notice, the private respondents are merrily going on raising construction.

The learned advocate appearing for the Municipality submits, upon instruction, that the unauthorized construction is going on in the premises in question.

None appears on behalf of the private respondents in spite of service.

As it appears that the Municipality has already taken steps in the matter, accordingly the instant writ petition is disposed of by directing the Municipality to take steps by invoking the provision of Section 218 of the West Bengal Municipal Act, 1993 at the earliest, but positively within a period of four months from the date of communication of a copy of this order.

The Municipality shall ensure that the proceeding so initiated is concluded within a period of six months thereafter.

It is needless to mention that the Municipality shall afford an opportunity of hearing to all the necessary parties prior to taking an action in the matter.

The Municipality shall ensure that no unauthorized construction is made in the premises in question.

The respondent No.5 being the Officer-in-Charge, Maheshtla Police Station shall ensure that the restraint order passed herein above, is strictly complied with by the private respondents and the police shall provide necessary assistance to the Municipality as and when required.

WPA 2234 of 2021 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

**( Amrita Sinha, J.)**