

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/225/2026

SUPRIYO HALDER AND ANR.
VS
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJA BASU CHOWDHURY

Date : 13th July, 2026.

Appearance:

Mr. Rupak Ghosh, Adv.
Mr. Jayanta Sengupta, Adv.
Ms. Shebatee Dutta, Adv.
Ms. Poulami Roy, Adv.
...for the petitioner

Mr. Gopal Chandra Das, Adv.
Ms. Ananya Das, Adv.
....for the Kolkata Municipal Corporation

1. The instant writ petition has been filed complaining of illegal construction at premises no. 24, Maharshi Debendra Road, Police Station- Posta, Post Office- Burrabazar, Kolkata- 700007.
2. Noting from the case made out by the petitioners that additional floors have been constructed and demolition proceedings were undertaken, this Court had directed the municipality to carry out an inspection and file a report and to notify the Court the outcome of the demolition proceeding initiated under the provisions of Section 400(1) of the

Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as “the said Act”) as recorded in the order dated 10th October, 2023 passed in W.P.O. 1653 of 2023.

3. Pursuant to the aforesaid direction the municipality has filed a report in Court today which is countersigned by the Executive Engineer (C)/Building, Borough-IV dated 13th July, 2026. From the aforesaid report it would transpire that the municipality had taken steps to carry out the demolition order with the help of the local police station on 19th September, 2022, 3rd May, 2023 and 18th December, 2023, and considerable portion of the authorized construction has been demolished.
4. In the interregnum, however, amongst other persons the petitioners had also applied for regularizing the unauthorized floors i.e. 5th floor to 7th floor along with all deviations and also submitted a sketch plan. Thereafter, as per the order of Hon’ble High Court dated 21st May, 2026 an inspection had been carried out and it was noticed that partial demolition of 5th to 7th floor still exists and no further construction was carried over there. The report also records that the municipal authorities have since taken steps under the provisions of Sections 544 and 546 of the said Act to carry out the demolition order and the next date has been fixed on 30th July, 2026. Let copy of the aforesaid report filed in Court today be kept on record.

5. Having heard the learned Advocates appearing for the respective parties and since Mr. Ghosh, learned Advocate for the petitioners would submit that he had never applied for regularization, I am of the view that the municipal authority must take appropriate steps in accordance with the report in furtherance to the demolition order on the next date fixed. The municipality must file an updated report before the learned Registrar, Original Side upon carrying out the aforesaid demolition order enclosing therewith the photographs of the demolition. Once such report is filed the same shall be tagged with the writ petition. It is made clear that the demolition order must be carried out in accordance with law.
6. With the above observation, the writ petition stands disposed of.

(RAJA BASU CHOWDHURY, J.)