

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE.

WPO/415/2026

RAKHI DEBNATH
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE

THE HON'BLE JUSTICE RAJA BASU CHOWDHURY

Date: 17th September, 2026

Appearance

Mr. Indrajit Bhattacharjee, Adv.

..for the petitioner

Mr. Alak Kumar Ghosh, Adv.

Ms. Koyeli Bhattacharyya, Adv.

Mr. Sundar Gopal Bhattacharyya, Adv.

...for the KMC

Mr. Debapriya Gupta, AGP

Mr. Biswanath Banerjee, Adv.

...for the State

1. The petitioner approached this Court earlier in WPO/912/2025, inter alia, praying for quashing of the proceedings under Section 400(8) of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as 'the said Act') in respect of the premises nos.413, 414, 415, Ho-Chi-Minh Sarani, Ward No.127, P.S. Sarsuna, Kolkata – 700 061 which the learned advocate for the petitioner claims had been wrongly recorded as 'premises no.13E, Tiljala Lane, Kolkata – 700 019' in the order dated 5th February, 2026. However, when this instant writ petition was moved, the learned advocate for the petitioner submitted that since the demolition order forming subject matter of challenge in the previous proceedings had already been executed, the petitioner did not want to proceed with the previous writ petition and accordingly, the said writ petition was dismissed as withdrawn.

2. Now, the petitioner has approached this Court with a prayer for a direction upon the respondents to consider the representation dated 19th December, 2025 as regards the regularization plan of the tin shed which had already been demolished in terms of the order passed under Section 400(8) of the said Act.
3. Having heard the learned Advocates appearing for the respective parties, I find that the challenge to the order under Section 400(8) of the said Act did not succeed. The same was, according to the petitioner, executed.
4. In the light of the above, I am of the view, there is no scope to direct the municipality to consider the representation for regularization filed on 19th December, 2025.
5. Accordingly, the writ petition stands dismissed.

(RAJA BASU CHOWDHURY, J.)