

16.09.2020
Court No. 05
Item No. 10
CP

WPA 6282 of 2020
with
IA NO. CAN/1/2020 (Old NO. CAN 4712
of 2020)

Md. Aslam
vs.
Kolkata Municipal Corporation & ors.

Mr. Saurav Chaudhuri.

.....for the petitioner.

Mr. Alok Ghosh,
Mr. Subhrangsu Panda,

....for the K.M.C.

None appears on behalf of respondents 7 and 8 despite service. Affidavit-of-service is already on record. The postal track record is also taken on record.

The petitioner is aggrieved by inaction on the part of the Kolkata Municipal Corporation in disposing of the complaint alleging unauthorized construction made by the respondents 7 and 8 in violation of the sanctioned plan issued by the Kolkata Municipal Corporation.

It is the contention of the petitioner that although such complaint has been made, the Corporation has not taken any steps as per the provisions of Sections 400, 401 and 401A of the Kolkata Municipal Corporation Act.

Having heard the petitioner and Mr. Ghosh, learned advocate appearing on behalf of the Kolkata Municipal Corporation, this writ petition is disposed of with a direction upon the respondent no. 4 herein to cause an inspection of the premises in question in the presence of the petitioner as well as the respondents 7 and 8 and, thereafter, act and proceed in accordance with law. If any deviation and/or unauthorized construction is detected, then the authorities will take such steps as provided under the law.

A final decision shall be communicated to all concerned. The entire exercise should be completed within a period of eight weeks from date of communication of this order.

In view of the above, CAN 4712 of 2020 is also disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible subject to compliance of all usual formalities. All parties are to act on a server copy of this order.

(Shampa Sarkar, J.)