

25.9.2020

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W. P. A. 7044 of 2020
I A No. CAN 1 of 2020

(Via Video Conference)

Zubaida Hamid
Vs.
The State of West Bengal & Ors.

Mr. Wasim Ahmed
... For petitioner.

Mr. Alok Ghosh
Mr. Dwijadas Chakraborty
... For KMC.

Mr. Anjan Ganjan
... For private respondent no. 12.

Mr. Tapas Kumar Mondal
Mr. Anirban Dey
Mr. Mrityunjoy Saha
... For private respondent no. 13.

Mr. Sukhendu Banerjee
Mr. Dilip Kumar Mandal
... For private respondent no. 15.

Mr. Ahmed, learned advocate appears on behalf of petitioner and submits, his client is aggrieved by persons making unauthorized construction in her property. To that effect his client had written letter dated 30th July, 2020 to Officer-in-Charge, Karaya Police Station. He seeks direction upon the police and Kolkata Municipal Corporation to come to aid of his client. Private respondent nos. 12, 13 and 15 are represented in Court. Their submissions are that the property does not belong to petitioner and no construction is being made in the property. Mr. Ghosh,

learned advocate appears on behalf of the Corporation and points out that the communication dated 30th July, 2020 was made to the police and not to his client.

Petitioner will obtain and serve copy of this order on the Corporation. Petitioner claims to be the owner and having had her name mutated in the records of the Corporation. The Corporation will ascertain from its records whether she is the person liable in respect of the property to pay taxes to it. The Corporation will also ascertain whether there has been application for sanction of plan for construction in the property. In event petitioner's contentions are found to be correct, the Corporation will take steps to see that unauthorized illegal construction is not made in the property. The Corporation is expected to act expeditiously on receiving copy of this order. In event the Corporation finds that there is a plan for construction or petitioner's contentions are not as borne out from their record, the Corporation will inform petitioner accordingly.

With above, the writ petition is disposed of together with connected application.

(Arindam Sinha, J.)