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(Via Video Conference)

W.P.A. No. 8743 of 2020

**Shree Lachminarayan Trust & Ors.
Versus
The Kolkata Municipal Corporation & Ors.**

Mr. Sushovan Sengupta,
Mr. Sumit Sengupta
...for the Petitioners.

Mr. Achintya Banerjee
...for the KMC.

Affidavit of service is taken on record.

This writ petition has been filed by trustees of a trust property situated at 95, Harrison Road now known as 95, Mahatma Gandhi Road, Kolkata-7.

It is submitted by the petitioners that the said trust property has let out to different persons and some persons have been raising unauthorised construction over the 4th floor of the said building without any sanction from the municipal corporation. It is submitted that the trustees have not given any authorisation to anyone to seek any sanction or permission from the Kolkata Municipal Corporation for addition, alteration, renovation and/or further construction on the trust property. It is further submitted by the petitioners that the building is in a dilapidated condition and any further construction on the said building will be dangerous to the life of the residents in and around the

area and the trustees would be held responsible for illegal action.

Mr. Banerjee, learned Advocate for the Municipal Corporation submits that the Corporation shall cause an inspection and take appropriate steps on the basis of the complaint lodged by the learned Advocate for the petitioners.

Having heard the learned Advocates for the respective parties, this writ petition is disposed of with a direction upon the appropriate authority of the Kolkata Municipal Corporation to consider and dispose of the representation of the learned Advocate for the petitioners dated October 5, 2020, which is annexure P/5 to the writ petition. While considering the said representation the authorised officer of the Municipal Corporation shall cause an inspection upon giving 48 hours prior notice to all the parties including the concerned persons who are responsible for such construction. Upon hearing the parties and upon causing inspection, if it is found that any illegal construction is being carried on, the Corporation shall be free to act in accordance with law.

There will be, however, no order as to costs.

Urgent certified website copies of this order, if applied for, be delivered to the parties, upon compliance of all necessary formalities.

(Shampa Sarkar, J.)