

04.12.2020.

WPA 9263 of 2020

(Via Video Conference)

Dr. Mrs. Sarmila Chandra .
Vs
The Kolkata Municipal Corporation.

Mr. R. Chakraborti,
Mrs. Amrita De,
... For the Petitioner.
Mr. Alok Ghosh,
Mr. Subhrangsu Panda,
...For the K.M.C.
Mr. A. Banerjee,
...For the State.

Learned Counsel appearing for the petitioner submits that a representation has been made by the petitioner who is a owner of the premises No.36 Purusottam Roy Street, Kolkata – 700007 before the Municipal Commissioner, Kolkata Municipal Corporation as the petitioner noticed massive illegal construction by his tenant at the third floor of his building.

Learned Counsel appearing for the Kolkata Municipal Corporation submits that all steps have been taken to stop the unauthorised construction but demolition proceeding cannot be initiated due to pendency of this writ petition.

Mr. Banerjee, learned Senior Counsel appearing for the State submits that a F.I.R. has been lodged against the tenant for unauthorized

construction under Section 400 (A) of the Kolkata Municipal Corporation Act.

Heard all the parties.

On perusal of this writ petition and after hearing the parties, it is clear that steps have been taken not only by the Municipal Commissioner but also by the Police regarding unauthorized construction as such nothing remains in this writ petition and the writ petition is disposed of with a request upon the Municipal Commissioner, Kolkata Municipal Corporation or his authorized representative to take appropriate steps in this regard preferably within a period of three months from date.

With the above direction WPA 9263 of 2020 is disposed of.

Since no affidavits have been invited, the allegations contained in the writ petition are deemed not to have been admitted by the respondents.

There will be no order as to costs.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)

