

21.12.2020

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W. P.A. 9962 of 2020

(Via Video Conference)

Sisir Kumar Saha

Vs.

The Kolkata Municipal Corporation & Ors.

Mr. P.R. Chakraborty

Mr. Sandipan Banerjee

... For petitioner.

Mr. Alak Kumar Ghosh

Ms. Tanushree Dasgupta

... For KMC.

Mr. Nirmalya Biswas

Mr. Debdeep sinha

... For respondent nos. 9-10.

Petitioner has prayed for demolition in respect of premises 9B, Kashi Dutta Street, Kolkata – 700 006. Mr. Chakraborty, learned advocate appears on behalf of petitioner and draws attention to answer by Kolkata Municipal Corporation on letter dated 30th December, 2017. He submits, answers read with his client's queries in letter dated 4th December, 2017 make it clear that no sanction was granted by the Corporation, for staircase at the premises. He also refers to communication dated 22nd May, 2018 made by concerned SPIO to submit, present water supply connection to the premises was on application made in name of deceased person.

Mr. Ghosh, learned advocate appears on behalf of the Corporation and submits, if a direction is made, his

client will cause inquiry and report. Mr. Biswas, learned advocate appears on behalf of private respondent nos. 9 and 10 and submits, there has been several changes of ownership of the property.

It appears from said letter dated 30th December, 2017 that queries by said letter dated 4th December, 2017 had been made to the wrong department. Serial nos. 1, 2 and 3 say that the queries stand transferred to some other department, while serial no. 4 says no sanction was given by that department. This 'no sanction' in respect of staircase in the building. That is insufficient on particulars. So far as the other grievance is concerned regarding water connection, the Corporation has disclosed sanction/permission for providing water supply, bearing registration dated 8th October, 2007. Mr. Chakraborty submits, person in whose name the sanction/permission was given, died on 21st December, 2006.

Petitioner has not disclosed particulars for this Court to rely on and call for answer from respondents. As such, no order can be made on this writ petition and it is dismissed. However, this will not prevent petitioner from approaching this Court with better particulars.

(Arindam Sinha, J.)