

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE
(Via Video Conference)

W.P.O. No. 334 of 2020

NILANJAN MANDAL
Versus
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

Date : 13th October, 2020.

Appearance:
Mr. Achintya Kr. Banerjee, Adv.
Ms. Tanushree Das, Adv.
...for the petitioner

Ms. Sipra Majumdar, Adv.
Mr. Sougata Mitra, Adv.
...for the State

Mr. Ranjit Chatterjee, Adv.
Ms. Tanushree Dasgupta, Adv.
...for KMC

The Court: The petitioner complains of unauthorized construction.

Learned Advocate appearing for the Corporation submits that, on inquiry, the Corporation found unauthorized construction. The Corporation Authorities issued notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 directing the respondents to stop work. The Corporation Authorities are contemplating proceedings under Section 400(1) of the Act of 1980.

State is represented.

In the facts of the present case, since, the Corporation Authorities found unauthorized construction and issued a notice under Section 401 of the Act of 1980, it would be appropriate to direct the Corporation Authorities to initiate proceedings under Section 400(1) of the Act of 1980 within a period of a fortnight from date. It is expected that, such proceedings will be concluded as expeditiously as possible.

Since, the Court did not invite any affidavits, the allegations made in the writ petition are deemed to be denied.

W.P.O. No. 334 of 2020 is disposed of accordingly.

(DEBANGSU BASAK, J.)

TO