

Item No.29

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

19.03.2021
Ct-24

W.P.A. 3382 of 2021
Syed Ahsan Ali

v

Kolkata Municipal Corporation & Ors.

Mr. Mansoor Alam
Mr. Bidyut Kumar Banerjee
... for the petitioner.

Mr. Bibek Jyoti Basu
Ms. Rajlakshmi Ghatak
... for the State.

Mr. Ranajit Chatterjee
Ms. Sima Chakraborty
... for KMC.

Mr. Piush Chaturvedi
Ms. Rita Sinha
... for the respondent nos. 7 & 8.

The petitioner alleges illegal and unauthorized construction being made by the private respondents. The private respondents deny the allegation of the petitioner.

The learned advocate for the Kolkata Municipal Corporation has submitted, upon instruction, that on the basis of the documents submitted by the private respondents a G+ IV storied residential building has been sanctioned and subsequently plan under Rule 26 of the Kolkata Municipal Corporation Building Rules,

2009 has already been approved by the Kolkata Municipal Corporation.

It has been mentioned that no unauthorized construction was found at the time of inspection of the said property.

In view of the instruction forwarded by the Kolkata Municipal Corporation it appears that the allegation of the petitioner is not substantiated.

No relief can be granted to the petitioner in the instant writ petition. The writ petition fails and is hereby dismissed.

The instruction given by the Kolkata Municipal Corporation is retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)