

Court No. 24

26.02.2021

(Item No. UL-1)

(AB)

W.P.A 5720 of 2021

Roushan Ara

vs

The Kolkata Municipal Corporation & Ors.

Mr. Srijib Chakraborty

Ms. Sumit Roy

..... for the petitioner

Mr. Alak Kumar Ghosh

Ms. Manisha Nath

..... for Kolkata Municipal Corporation

The matter was mentioned yesterday for listing the same as urgent motion. As the file did not reach the Court in proper time the matter could not be listed today. The learned advocate for the petitioner prays for taking up the matter as unlisted motion citing urgency.

Affidavit of service filed in Court is taken on record. The Kolkata Municipal Corporation is represented.

Supplementary affidavit filed in Court today is taken on record.

It has been submitted that the Kolkata Municipal Corporation is taking step for demolition of the building situated at premises Nos. 13/H/34/1, 13/H/34/2 and 13/H/34/3, Braun Field Row, Kolkata - 700 027.

The petitioner alleges that in the garb of compliance of the order passed by this Court on 22nd

August, 2017 in W.P. No. 424 of 2017 the functionaries of the Kolkata Municipal Corporation are taking steps to demolish the premises Nos. 13/H/34/1, 13/H/34/2 and 13/H/34/3 Braun Field Row, Kolkata – 700 027.

The petitioner refers to an order dated 05.02.2021 passed in C.C. No. 41 of 2019 in A.P.O. No. 454 of 2017 wherein the Court records that the appeal and the writ petition connect to an unauthorized construction in respect of the building/premises No. 13/H/34 Braun Field Row, Kolkata – 700 027.

The learned advocate representing the Kolkata Municipal Corporation submits, upon instructions, that steps were taken for demolition strictly in accordance with the order that was passed by the Court.

As it has been submitted by the Corporation that steps are being taken in terms of the order of the Court, accordingly it is expected that the Corporation will act strictly in accordance with the order passed in the writ petition and the appeal under reference and not take any steps contrary thereto.

No further order is required to be passed in the instant writ petition.

W.P.A. 5720 of 2021 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)