

21.01.2021
SL No.70
Court No.24
(P.M.)

WPA 4550 of 2020

**Santosh Khandelwal & Ors.
Vs.
Kolkata Municipal Corporation & Ors.**

Mr. Anirban Mitra,
Ms. Saberi Saha,
Mr. Amit Halder
... for the petitioner

The petitioners claim to be tenants in respect of a portion of the premises No. 22, Mitra Lane, Kolkata – 700007.

The petitioners apprehend that there will be loss of valuable life and property if an untoward incident occurs as the premises in question is an old and dilapidated structure. The petitioners allege that the owners are not taking any step to repair the building and the Corporation is not taking any step in accordance with the provision of Section 412 of the Kolkata Municipal Corporation Act, 1980.

The petitioners pray for a direction upon the Municipal authorities to ensure that the landlord reinstates them in the said premises, when the building is reconstructed in the event, it is demolished or it collapses.

In my opinion, the writ petition appears to be an absolutely speculative one. The petitioners are still now residing at the premises in question. No step appears to have been taken by the landlord to dispossess them. Until

and unless the petitioners are dispossessed, there can be no question of reinstating them in the said premises.

In view of the above, the instant writ petition fails and is hereby dismissed.

WPA 4550 of 2020 stands dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)