

19.01.2021
SL No.145
Court No.24
(P.M.)

WPA 6934 of 2020
With
IA No. CAN 1 of 2020
With
IA No. CAN 2 of 2020

Shivsubh Complex LLP
Vs.
Kolkata Municipal Corporation & Ors.

Mr. Sanjoy Bose
... for the petitioner.

Mr. P.B. Mallick
... for the respondent No. 7

Mr. Alok Ghosh,
Mr. Dwijadas Chakraborty
.... For KMC

The writ petition relates to the premises No. 80 & 81 Bentinck Street, Ward No. 46, Borough – VI. A notice under Section 412(1) of the Kolkata Municipal Corporation Act was served upon the owners on 22nd April, 2019. A hearing was thereafter conducted and an order was passed by the Special Municipal Commissioner on 26th September, 2019. Thereafter the Executive Engineer (Building) on the request of the parties allowed the owner six months' time for submitting the Scheme for Rehabilitation of the tenants and demolition and construction of the new building. The same has not been submitted till date.

The petitioner seeks time for submitting the Scheme for Rehabilitation.

The instant writ petition is disposed of by granting the petitioner a fortnight's time to file the Scheme for Rehabilitation. In the event such a scheme is filed, the Kolkata Municipal Corporation shall take necessary steps for settling the same after giving an opportunity of hearing to the petitioner and all other necessary parties. The Corporation shall intimate the fate of the said Scheme to the petitioner and all other necessary parties immediately thereafter.

If the Scheme is not submitted within the aforesaid period of two weeks it will be open for the Kolkata Municipal Corporation to take steps in respect of the said premises in accordance with law.

WPA 6934 of 2020 and applications being CAN 1 of 2020 and CAN 2 of 2020 are disposed of.

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

(Amrita Sinha, J.)