

06.08.2021
KC(12)

W.P.A.(P) 215 of 2021
Partha Chatterjee
-versus-
Administrator, Kolkata Municipal
Corporation and Ors.

(Via Video Conference)

Mr. Sambhu Nath Roy,
Ms. Tirthaa Dey.....For the petitioner.

Mr. Alak Kumar Ghosh,
Mr. Subhrangshu Panda.....For the K.M.C.

This is a writ application in the nature of public interest litigation.

The writ petitioner resides on Vidyasagar Sarani. His complaint is that an unscrupulous developer has been making illegal construction in the locality. He says that by such act the waterbodies have been filled up.

We are of the view that the respondent corporation should look into this complaint.

In that view of the matter we dispose of this writ application by ordering that a copy of the writ petition should be sent to the Municipal Commissioner by the advocate-on-record for the writ petitioner within seven days from date. On receipt of the copy of the writ petition he should treat it as a formal representation before him, enquire into the complaint and take a decision in the matter. It would be open to the Commissioner to issue a stop work order and start

proceedings for demolition etc. if the nature of the case so warrants. To enable the Commissioner to come to a decision, he shall summon and hear the petitioner as well as the private and other respondents. The decision of the Commissioner should be taken within six weeks from date and communicated to the parties.

The writ application is accordingly disposed of.

(I.P. MUKERJI, J.)

(ANIRUDDHA ROY, J.)