

15.11.2021
Sl. No.24
srm

W.P.A. No. 12847 of 2021

Masrur Alam
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Swarup Banerjee,
Md. Salman

...for the Petitioner.

Mr. Mainak Swarnakar

...for the Respondent No.9.

Mr. Ranajit Chatterjee,
Mr. Anujit Mookherjee

...for the KMC.

Affidavit of service is taken on record.

The petitioner has alleged that despite the order of the Municipal Commissioner, Kolkata Municipal Corporation dated March 30, 2021, the corporation has not taken any steps to demolish the alleged unauthorised construction.

Mr. Chatterjee, learned Advocate appearing on behalf of the Kolkata Municipal Corporation, has submitted an order issued in Demolition Case No.D-16/Br-VII/21-22. From the said order, it appears that a hearing was held on September 6, 2021 and the Special Officer Building directed the person responsible to demolish the unauthorised construction within 15 days from the date of communication of this order, failing which the Kolkata Municipal Corporation was granted liberty

to proceed for demolition and recover the costs from the person responsible. It appears before this Court that the complainant/petitioner appeared at the hearing. The said order is taken on record.

It is submitted by Mr. Chatterjee, that the order is awaiting a formal approval from the Board of Administrators. Hence the same has not been communicated to the parties.

Under such circumstances, nothing survives to be decided in the writ petition. Parties are at liberty to pursue their remedies as available under the law.

This writ petition is, thus, disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)