

27.1.
2021

WPA 10724 of 2020

Sher Khan

-vs-

The Kolkata Municipal Corporation & Ors.

Mr. Gopal Chandra Ghosh,
Mr. Sobhan Majumder
..... for the Petitioner

Mr. Sumitava Chakraborty,
.... For the private respondent nos. 5 to 7

Mr. Avirup Chatterjee
..... for the private respondent nos. 8 and 9

Affidavit of service filed by the petitioner is kept with the record.

The petitioner alleges illegal and unauthorized construction being carried on in the premises no. 2H, Radha Gobinda Saha Lane, P.S.-Karaya, Ward No. 64 Borough VII, Kolkata – 700 017 under the Kolkata Municipal Corporation.

The learned advocate for the private respondents submits, upon instruction, that they are making construction in accordance with law sanctioned by the Kolkata Municipal Corporation.

The learned advocate appearing on behalf of the KMC submits, upon instruction, that on receipt of the complaint an inspection was conducted at the site and it was observed that G+4 storied building has been constructed at the aforesaid premises in deviation of the sanction building plan, encroaching mandatory open spaces at the front, rear and side space-I. A stop work notice was also issued under Section 401 Kolkata Municipal Corporation Act, 1980 dated 4th June, 2019 and intimation has also been sent to the local police on

the said date.

As it appears that the Kolkata Municipal Corporation has already inspected the premises in question and has come to the conclusion that there has been deviation from the sanctioned building plan, the Kolkata Municipal Corporation is accordingly directed to take necessary steps, strictly in accordance with law, to deal with the unauthorized construction made in deviation of the sanctioned building plan.

Necessary steps shall be taken by the Corporation within a period of eight weeks from the date of communication of a copy of this order. The Corporation shall intimate the steps taken in the matter to the petitioner immediately thereafter.

WPA 10724 of 2020 stands 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 .)