

19
15.02.2021.
d.p.

**W.P.A 11238 of 2020
(Via Video Conference)**

**Nandita Mitra
-versus
The Kolkata Municipal Corporation & Ors.**

Mr. Md. Imran.
...For the Petitioner.

Mr. Tapas Kumar Adhikari.
...For the State.

**Mr. R.N. Chakraborty,
Ms. Era Ghose.**
...For the KMC.

Mr. Farooque Ali.
**...For the Respondent
No. 5.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the respondent No. 6 in spite of service.

The petitioner alleges illegal and unauthorized construction being carried on in Premises No. 28A, Chaulpatty Road, Ward No.34, Borough-III, Kolkata-700010 under the Kolkata Municipal Corporation.

In response to the complaint made by the petitioner against the unauthorized construction being carried on the officials of the Kolkata Municipal Corporation inspected the premises in question and it was detected that there was indeed unauthorized construction at the said premises. The demolition

sketch plan has already been prepared and steps have been taken under Sections 400 and 401 of the Kolkata Municipal Corporation Act, 1980.

As it appears that the Corporation has already taken steps in response to the complaint made by the petitioner, no useful purpose will be served by keeping the writ petition pending.

The Kolkata Municipal Corporation is directed to proceed and conclude the proceedings initiated under Section 400 of the Kolkata Municipal Corporation Act, 1980 strictly in accordance with law, at the earliest, but positively within a period of six months from the date of communication of a copy of this order.

The instruction given by the Kolkata Municipal Corporation to their learned advocate is retained with the records.

W.P.A. 11238 of 2020 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)