

ORDER SHEET

WPO/384/2020

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE**

MAHERJAN BIBI

VS

THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE :

The Hon'ble JUSTICE AMRITA SINHA

Date: 12th February, 2021.

Appearance:
Mr. Javed Majid, Adv.
Ms. S. Naaz, Adv.
..for the Petitioner.
Mr. Alak Kumar Ghosh, Adv.
Mr. Gopal Chandra Das, Adv.
..for KMC.
Ms. Shipra Mazumdar, Adv.
Mr. Sougata Mitra, Adv.
..for State respondent.
Mr. M. A. Samad, Adv.
.. for respondent no.8.

The Court:-The petitioner complains that the direction passed by the Kolkata Municipal Corporation in the notice dated 18th February, 2020 issued under Section 411(1) of the Kolkata Municipal Corporation Act, 1980 has not been complied with till date.

It appears from the submissions made on behalf of the learned advocate representing the Kolkata Municipal Corporation that the building has tilted dangerously and accordingly notice under Section 411(1) of the Kolkata Municipal Corporation Act, 1980 was issued to the owner/occupiers of the premises no.51L, Shamsul Huda Road, P.S. Karaya, Kolkata-700017, Ward No.65.

As it appears that the direction passed in the notice under Section 411(1) of the aforesaid Act, 1980 has not been acted upon by the owner/occupiers of the said premises till date, it will be appropriate to direct the Kolkata Municipal Corporation to take necessary steps pursuant to the provision of law.

In view of the above, the instant writ petition is disposed of by directing the Kolkata Municipal Corporation, through its authorized officers, to take necessary follow up action in terms of the provision of Section 411(1) of the Kolkata Municipal Corporation Act, 1980, at the earliest, but positively within a period of six months from the date of communication of a copy of this order.

The writ petition being WPO 384 of 2020 stands disposed of accordingly.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(AMRITA SINHA, J.)

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