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ORDER SHEET

WPO/433/2019

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SUKHAMOY MALLICK
Versus
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date : 30th November, 2021.

[Via Video Conference]

Appearance:
Mr. Raghunath Chakraborty, Adv.
Mr. Mahaboob Ahmed, Adv.
For the petitioner.

Mr. Alok Kumar Ghosh, Adv.
Mr. Swapan Kumar Debnath, Adv.
For the K.M.C.

Mrs. Sipra Majumder, Adv.
Ms. Debarati Sen (Bose), Adv.
For the State.

The Court :- Mr. Ghosh and Mr. Chakraborty submit that the order of this Court has been complied with and the construction on the public road has been pulled down. However, Mr. Chakraborty insists that the floor of one of the rooms on the public road is yet to be demolished completely.

The Corporation must ensure that the public thoroughfare is restored to its original position.

Ms. Majumder, learned Advocate for the State, submits a report from which it appears that the police had helped the Kolkata Municipal Corporation during the process of demolition.

As the Commissioner has taken initiative and ensured that the public thoroughfare would be clear from all encroachment, this writ petition is disposed of with a direction for complete restoration of the road to its original position as a public thoroughfare within a period of three months from the date of communication of this order.

The respective report is taken on record.

(SHAMPA SARKAR, J)

snn.