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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO No.763 of 2021

IN THE MATTER OF :
M/s. S.S. ENTERPRISE & ORS.
VERSUS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE :
THE HON'BLE JUSTICE
SHAMPA SARKAR
DATED : SEPTEMBER 16, 2021.

Appearance :
Mr. P.S. Deb Barman, Advocate
Mr. Amit Gupta, Advocate
Mr. Goutam Dey, Advocate
Mr. S. Alam, Advocate
.....for petitioners
Mr. Alok Kr. Ghosh, Advocate
Mr. Gopal Ch. Das, Advocate
...for the K.M.C.

The Court :- The petitioners have made an innocuous prayer that the petitioners and/or their representatives should be given an opportunity of hearing before the Kolkata Municipal Corporation takes any step on the basis of the stop work notice dated December 19, 2017. Mr. Ghosh, learned Advocate for the Corporation submits that all steps

that shall be taken by the Corporation shall be taken in accordance with law and the apprehension of the petitioners is misconceived.

Having heard the rival contentions of the parties, the writ petition is disposed of with a direction upon the competent authority of the Kolkata Municipal Corporation to take steps on the basis of the stop work notice by initiating a demolition proceeding and dispose of the same strictly in accordance with law and upon giving adequate opportunity to the petitioners and any other interested person, at every step including at the time of inspection. The proceeding shall be disposed of accordingly and the order shall be communicated to the petitioners and any other interested party, if there be any.

The entire exercise shall be completed within a period of three months from date.

Affidavit-of-service is kept on record.

(SHAMPA SARKAR, J.)

GH.