

OD-3

ORDER SHEET

WPO No. 901 of 2021

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MD. NIAZ AHMED AND ORS.
Versus
STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 29th September, 2021.

Appearance :

Md. Yamin Ali, Adv.
For the petitioners.

Mr. Alok Kumar Ghosh, Adv.
Ms. Manisha Nath, Adv.
For K.M.C.

The Court :- The report filed by the Kolkata Municipal Corporation is kept on record.

None appears on behalf of the respondent nos. 11 to 14.

Affidavit of service filed in Court today be taken on record.

This writ petition is disposed of in the absence of the said respondents as no adverse orders are being passed affecting their rights.

Mr. Ghosh, learned Advocate appearing for the Corporation, submits that pursuant to the complaint of the petitioners, an inspection was made and a stop work notice has already been issued upon the person responsible. According to Mr. Ghosh, pursuant to the inspection,

some deviations, have been found including construction of an additional floor without a sanction. As the Kolkata Municipal Corporation has already taken cognizance of the complaint and prima facie found some irregularity, no further order need be passed in the writ petition save and except that the Corporation shall conduct an inspection and a hearing in presence of the parties. Copies of the report shall be supplied to the parties and thereafter the proceedings shall be disposed of upon hearing the parties, as per law. A reasoned order shall be passed and communicated to the parties. The representatives of the respondent nos. 11 to 14 shall be heard mandatorily. On conclusion of the proceedings, the Corporation shall act and proceed in accordance with law.

The entire exercise shall be completed within a period of five months from the date of communication of this order.

The Corporation has already issued stop work notice and police shall ensure that notice is complied with.

(SHAMPA SARKAR, J

snn.