

Item No. 152(ML)

20.07.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 8751 of 2021
Sri Ranju Chakraborty
v.

The Municipal Commissioner, KMC & Ors.

Mr. Amitava Roy
... for the petitioner.

Mr. Soumya Nag
Mr. A. Rakshit
... for the respondent nos. 7 & 8.

Mr. Ranjit Rajak
... for the State.

The petitioner complains illegal and unauthorised construction at Premises No. 91A/53A, B.L. Saha Road, Ward No.116, Borough- XIII, Kolkata-700041 under the jurisdiction of the Kolkata Municipal Corporation.

In response to the complaint filed by the petitioner, the Kolkata Municipal Corporation invoked the provision of Section 400(1) of the Kolkata Municipal Corporation Act, 1980 vide notice No. 1042 and initiated D/Case No. 22-D/XIII/2021-22 dated October 5, 2021. The petitioner has been intimated about the same by the Assistant Engineer (C) Building, Borough- XIII & XIV.

The petitioner prays for a direction upon the Kolkata Municipal Corporation to conclude the proceeding that has already been initiated.

Learned advocate representing the respondent nos. 7 & 8 submits upon instruction that they are not in any way responsible with the said construction and they are not aware of any notice being issued by the Kolkata Municipal Corporation.

As it appears that the Kolkata Municipal Corporation has already taken steps in response to the complaint filed by the petitioner, accordingly, the Executive Engineer (Building) of the Kolkata Municipal Corporation, Borough-XIII is directed to conclude the proceeding that has been initiated against the persons responsible strictly in accordance with law, at the earliest, but positively within a period of four months from the date of communication of a copy of this order.

The aforesaid respondent shall intimate the petitioner the steps taken in the matter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)