

Item No. 20

26.07.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 11774 of 2021
Sri Atul Krishna Kamila
v.
State of West Bengal & Ors.

Mr. Rameswar Sinha
Mr. Anirudha Sarkar
... for the petitioner.

Mr. Himadri Sikhar Chakraborty
Mr. Arunava Maiti
... for the State.

Mr. Mit Guha Roy
... for the respondent no. 6.

Mr. Dwijodas Chakraborty
Ms. Manisha Nath
Mr. Sk. Sujauddin
... for KMC.

The report filed in Court today signed by the Assistant Engineer (C)/Building and Executive Engineer(C)/Building, Borough-XVI, Joka, KMC dated May 13, 2022 discloses that the premises in question being No. 597, Tarapada Santra Sarani, Ward No. 124 was inspected by the department and on inspection it was found that one storey tin shed structure has been constructed without obtaining any sanctioned plan. Stop work notice under Section 401 of the Kolkata Municipal Act, 1980 has been issued in favour of the person

responsible for making construction on August 19, 2020 with an intimation to the Haridevpur Police Station.

The process of preparation of the demolition sketch plan and the demolition case under Section 400 of the Kolkata Municipal Corporation Act is under progress.

As it appears from the report filed by the Kolkata Municipal Corporation that there exists unauthorized construction at the aforesaid premises, and steps under Section 400 of the Kolkata Municipal Corporation Act, 1980 is proposed to be taken, accordingly, the Kolkata Municipal Corporation is directed to conclude the proceeding strictly in accordance with law, at the earliest, after giving reasonable opportunity of hearing to all the necessary parties positively within a period of three months from the date of communication of a copy of this order.

The parties shall be intimated with regard to the steps taken by the Corporation in respect of the demolition case initiated by the Corporation.

The report dated May 13, 2022 be kept with the records.

The writ petition stands disposed of.

Leave granted to the learned advocate-on-record of the petitioner to rectify the typographical error in the prayer portion of the writ petition by course of tomorrow.

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.)