

Item No. 70

05.09.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 11526 of 2022

Vineeta Singhania
v.
Kolkata Municipal Corporation & Ors.

Mr. Rudraman Bhattacharya
Ms. Piyali Sengupta
Ms. Amrita Panja Moulick
... for the petitioner.

Mr. Tapan Kumar Mukherjee
Ms. Debdooti Dutta
... for the State.

Md. Adil Badr
Mr. Danish Haque
Mr. Siddhartha Deb Roy
Mr. Abdul Zahid
Mr. Prakaksh Mishra
... for the respondent nos. 9 to 12.

Mr. N.C. Bihani
Mr. Abhishek Sikdar
... For KMC.

The petitioner has prayed for a direction upon the Kolkata Municipal Corporation to cause inspection of the Premises No. 5, Gurusaday Road, Ward No. 69, Borough-VIII, Kolkata-700019 and to stop unauthorized construction carried out at the instance of the respondent nos. 8 to 11.

A report has been prepared by the Assistant Engineer(C) and the Executive Engineer(C), Borough-VIII, Kolkata Municipal Corporation mentioning that a

spot inspection was conducted on May 17, 2022 and it was found repairing, re-flooring and re-plastering works were in progress in the front portion of the two storied existing building. The rear portion of the building is multistoried existing building for residential use.

The inspection revealed that the work was almost complete and the same was being done as per the provision of Rule 3(2) of the Kolkata Municipal Corporation Building Rules, 2009.

From the report of the Kolkata Municipal Corporation it appears that the allegation of the petitioner remains unsubstantiated.

No relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

Report of KMC dated August 3, 2022 and report of the Officer-in-Charge Karaya police station dated July 18, 2022 filed in Court today be kept on record.

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.)