

Item No. 20

05.12.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 13703 of 2021
Sri Subhendu Kumar Mannah
v.
Kolkata Municipal Corporation & Ors.

Mr. Manabendra Thakur
Mr. Partha Sarathi Das
... for the petitioner.

Mr. Dilip Chatterjee
Mr. Saurav Chaudhuri
... for KMC.

The petitioner is aggrieved by the inaction on the part of the Kolkata Municipal Corporation to take steps in response to the objection filed by the petitioner challenging the construction of iron grill gate on the private passage between the Premises No. 26 and 30/4A, Rani Rashmoni Road, Kolkata- 700087.

Learned advocate representing the Kolkata Municipal Corporation submits, upon instruction that, for the purpose of construction of iron gate, no permission is required.

None appears on behalf of the private respondents despite service.

Affidavit-of-service filed in Court today is taken on record.

It appears from the representation filed by the petitioner before the Corporation that the gate is sought to be fixed on a private passage in between the two premises.

There are several civil litigations pending in between the petitioner and the private respondents. The Corporation ought not to enter into the private disputes in between the parties.

It will be open for the petitioner to approach the competent civil Court for any order restraining the private respondents from fixing gate in the private passage in between the two premises.

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

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)