

Sl. No.34
28.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 14435 of 2022

Sanjay Kumar Singh & Anr.
versus
The Kolkata Municipal Corporation & Ors.

Mr. Avijit Ghoshal
... for the Petitioners
Mr. Tanushree Das
... for KMC.
Mr. Sk. Mujibar Rahman
Mr. Abdus Salam.
... for the State.
Mr. Anirban Majumder
Mr. Somnath De
Mr. S. K. Poddar
... for the respondent nos.11 & 14

The petitioner complains of unauthorised construction at the premises no. 56C, Dr. Suresh Chandra Banerjee Road, Kolkata-700 010 under the jurisdiction of Kolkata Municipal Corporation.

The petitioners rely upon the intimation received under the Right to Information Act that sanction has been granted for construction of G+4 storied structure.

According to the petitioners, extra floor has been constructed.

The petitioners complain that the representation filed before the Corporation objecting to such unauthorised construction is pending consideration before the Kolkata Municipal Corporation.

Learned advocate representing the private respondent denies the allegation of the petitioner.

Learned advocate representing the Kolkata Municipal Corporation submits that unauthorised construction has been detected and the matter is presently pending consideration before the Special Officer (Building).

As it has been submitted that unauthorized construction has been detected and the matter is pending consideration at the end of the Special Officer (Building), accordingly, the present writ petition is disposed of by directing the Municipal Commissioner on his delegate to take steps to conclude the proceeding which is pending to deal with the unauthorised construction at the aforesaid premises in accordance with law, after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively within a period of twelve weeks from the date of communication of this order.

A reasoned order shall be passed and communicated to the parties immediately thereafter.

Affidavit of service filed in Court is taken on records.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)