

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 14654 of 2022

Smt. Sadhana Mukherjee & Ors.
-versus
The Kolkata Municipal Corporation & Ors.

Mr. Somnath Mukherjee ...For the Petitioners

Mr. Sagnik Bhattacharya...For respondent No. 12

Mr. Gurudas Mitra
Ms. Sabnam De ... For KMC

The petitioner Nos. 3 and 4, namely Sri Santosh Dey son of late Rajeswar Dey and Sri Ashutosh Dey son of late Rajeswar Dey respectively have been impleaded as respondent Nos. 10 and 11 in the writ petition.

The petitioners challenge the order of demolition dated 2nd March, 2022 passed in respect of the premises no. 23, Jadavgarh Colony, Ward No. 105, Borough-XII under the jurisdiction of the Kolkata Municipal Corporation.

According to the petitioners, the order of demolition has been passed without giving an opportunity of hearing to all of them.

Learned advocate appearing on behalf of the Kolkata Municipal Corporation has produced a copy of order dated 22.07.2021 passed in W.P.A. No. 11228 of

2021 (Faimeed Hossain Vs. Kolkata Municipal Corporation & Ors.). It has been submitted that the petitioner Nos. 3 and 4 i.e. Sri Santosh Dey and Sri Ashutosh Dey were party respondents in the aforesaid writ petition.

It appears that the Kolkata Municipal Corporation has acted in compliance of the direction passed by the Court on 22nd July, 2021 in the aforesaid writ petition. The petitioner nos. 3 and 4 were well aware of the entire proceeding and by suppressing the same as approached this Court by filing the present writ petition.

The present writ petition is absolutely misconceived and the same stands dismissed.

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

(Amrita Sinha, J.)