

Sl. No.126
26.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 15349 of 2021

Soma Kundu
Versus
The Kolkata Municipal Corporation & Ors.

Mr. Md. Sayeed Khan
... for the petitioner

Mr. Mihir Kundu
Ms. Manisha Nath
... for the Kolkata Municipal Corporation

Mr. Biswajit De
Ms. Rajlakshmi Ghatak
... for the State

The petitioner alleges illegal and unauthorised construction at the instance of the private respondent in the premises No.B/37A/H/3, Suren Sarkar Road, Ward No.33, Borough-III, Kolkata-700010, under the jurisdiction of the Kolkata Municipal Corporation.

The petitioner alleges that the objection filed by the petitioner was not taken up for consideration by the Corporation.

Learned advocate representing the Kolkata Municipal Corporation submits that an inspection was conducted and as it was found that unauthorised construction has been made, demolition proceeding was initiated and an order of demolition was passed on 22nd June, 2022. The person responsible for such

unauthorised construction has preferred an appeal before the Municipal Building Tribunal being B.T Appeal No.106 of 2022.

As it appears that the Corporation has taken steps in the matter and issued an order of demolition which is pending scrutiny before the Municipal Building Tribunal, accordingly, the instant writ petition is disposed of by granting liberty to the petitioner to take steps before the appropriate forum where the appeal is presently pending.

The report filed by the Executive Engineer(C)/Building Department, Borough-III, dated 17th September, 2022 be retained with the 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.)