

Sl. No.48
07.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 15315 of 2022

Kallol Kumar Laha & Anr.
Versus
The Kolkata Municipal Corporation & Ors.

Mr. Sanat Kumar Biswas
... for the petitioner
Mrs. Jhuma Chakraborty
Mr. Aritra Ghosh
... for the State
Mr. Debjit Mukherjee
Ms. Dipanwita Ganguly
... for the Kolkata Municipal Corporation
Mr. Chandan Kumar Lal
... for the respondent no.6

The petitioner alleges illegal and unauthorised construction at the instance of the private respondent over premises No.1/3, Dr. Dhiren Sen Sarani, Ward No.27, Borough-IV, Kolkata-6.

Learned advocate representing the Kolkata Municipal Corporation has filed a report before this Court signed by the Sub Assistant Engineer(Civil)/Building, Assistant Engineer (Civil)/Building, Executive Engineer(Civil)/Building, Borough-IV & V dated 2nd August, 2022. The report mentions that the Kolkata Municipal Corporation Building Department has issued a building sanctioned plan on 10th June, 2022 for reconstruction of the roof of

the ground floor under Rule 3(2)(e) of the Kolkata Municipal Corporation Building Rule, 2009. The construction work is going on under supervision of LBS/ESE. On inspection, it was revealed that the work is going on as per the building sanctioned plan within the sanctioned cover area.

In view of the report that has been filed in Court today by the Kolkata Municipal Corporation, the allegation made by the petitioner remains unsubstantiated.

In view of the above, no relief can be granted to the petitioner in the instant case.

The writ petition fails and is hereby dismissed.

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

(Amrita Sinha, J.)