

17.11.2022.
Court No.13
Item No. 312
pk

W.P.A. No. 17093 of 2021

**Mohammed Zahid @ Md. Zahid
Versus
The State of West Bengal & Ors.**

Mr. Pinak Kumar Mitra,
Ms. S. Ghosh,
Ms. A. Shahab

...For the petitioner.

Mr. Raja Saha,
Mr. S. P. Lahiri

... for the State.

Mr. Achintya Kumar Banerjee,
Mr. Dipankar Ghosh

... for the K. M. C.

Mr. Kaushik Santra

... for the respondent nos. 11 and 12.

Counsel for the writ petitioner submits that the private respondents have obtained sums of money from his client under the agreement for sale of 5th floor of the property.

Counsel for the KMC submits that the building has been sanctioned for construction only up to third floor in addition to the ground floor.

Counsel for the private respondent nos. 11 and 12 submits that his clients are local residents and have got nothing to do with any transaction with the petitioner.

This Court directs the O. C., Narkeldanga Police Station to register FIR against the petitioner's complaint and conduct investigation.

It is submitted by the parties that in respect of the same premises by order dated 16th May, 2018 passed in WP No. 1980 (W) of 2017 a Co-ordinate Bench of this Court was directed the KMC to demolish the unauthorised constructions on the 4th and 5th floor of the said premises. Such demolition has been completed.

Any civil remedies that the parties may be pursued in accordance with law against one and another.

The writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)