

Item No. 20

7.11.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 19799 of 2022
Vikramsila Textile Park Ltd.
v.
The Kolkata Municipal Corporation & Ors.

Mr. Fazlul Haque
Mr. Debangshu Mondal
... for the KMC.

Ms. Sudipa Roy
Mr. Somnath Naskar
... for the State respondents.

Mr. Ayan Banerjee
Ms. Debjani Sengupta
... for the respondent no. 6.
(Vaka filing No. A-21074)

None appears on behalf of the petitioner at the time of call.

The petitioner prays for a direction upon the Kolkata Municipal Corporation to stop the illegal and unauthorized construction at premises no. 16/C, Dhan Devi Khanna Road, Kolkata- 700 054 and to demolish the illegal construction made thereon.

Learned advocate representing the private respondents denies the allegation of the petitioner. It has been submitted that re-construction work has been made in accordance with the plan sanctioned by the Corporation.

Learned advocate representing the Kolkata Municipal Corporation has taken instruction from the Executive Engineer, Building Department, Borough-III

wherein it is clearly mentioned that a plan was sanctioned for re-construction of roof of a partly single storied and partly two storied building at the subject premises in March 2018. The premises was inspected on September 26, 2022 and it was observed that the re-construction work has been executed in accordance with the sanctioned plan.

It appears from the instruction forwarded by the Executive Engineer, Building Department, Borough-III that the re-construction work has been made in accordance with the plan sanctioned.

In view of the above, the allegation of the petitioner remains unsubstantiated.

No relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

The instruction given by the Executive Engineer signed on November 2, 2022 be retained with the records.

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

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(Amrita Sinha, J.)