

OD-6

ORDER SHEET

WPO No. 137 of 2020

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

GAYATRI GUPTA
Versus
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 13th January, 2022.

[Via Video Conference]

Appearance:
Mr. Mahesh Joshi, Adv.
Mr. Sandeep Joshi, Adv.
For the petitioner.

Mr. Nilkanjan Adhikari, Adv.
For the respondent.

Ms. Shipra Mazumder, Adv.
For the State.

Mr. Ranajit Chatterjee, Adv.
For K.M.C.

The Court:-Mr. Chatterjee, learned Advocate appearing on behalf of the Kolkata Municipal Corporation, submits that an inspection of the premises in question was held and some illegal constructions have been detected. As the corporation has already formed a prima facie opinion with regard to the allegations made by the writ petitioner, the competent

authority of the Kolkata Municipal Corporation shall initiate proceedings in accordance with law and reach to its logical conclusion.

This writ petition is disposed of with a direction upon the Municipal Commissioner or his delegatee under the law to consider the grievances of the petitioner by treating the writ petition as a representation and dispose of the same in accordance with law upon granting an opportunity of hearing to the petitioner and/or the authorised representatives of the petitioner. The Corporation shall cause inspection of the premises in question in presence of all parties concerned. The report of such inspection shall be handed over to the petitioner and thereafter the decision will be taken in accordance with law and by following the principles of natural justice. The decision should be communicated to the parties. The corporation shall reach the proceedings to its logical conclusion and take necessary steps if the allegations of the writ petitioner are found to be correct.

The entire exercise should be completed within a period of eight weeks from the date of communication of this order.

It is made clear that this Court has not gone into the merits of the claim of the petitioner.

All parties are to act on the basis of the server copy of this order.

(SHAMPA SARKAR, J)