

WPO No.192 of 2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SYED IRFAN SHER
Vs.
STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 27th July, 2022.

Appearance:
Mr. Sujit Banerjee, Adv.
Mr. Nilay Sengupta, Adv.
...for Petitioner.

Mr. Biswajit Mukherjee, Adv.
Ms. Manisha Nath, Adv.
...for KMC.

The Court:-The matter relates to the premises No.203/1, A.J.C. Bose Road, Ward-64, Borough-VII under the jurisdiction of the Kolkata Municipal Corporation.

The petitioner alleges unauthorised construction therein. According to the petitioner, the said property is a Wakf property and several illegal constructions are being made by the unauthorised occupants.

A report dated 26th July, 2022 has been filed before this Court by the Kolkata Municipal Corporation signed by the Sub-Assistant Engineer (Civil)/ Building, Borough-VII and the Assistant Engineer (Civil)/ Building, Borough-VII wherein it has been mentioned that the department inspected the premises and found that several single storied car-shed structures exists thereon and no new construction has been found.

The petitioner has annexed photographs of the alleged unauthorized construction with the writ petition. The photographs are of single storied structures with tin shed. Similar photographs have been annexed to the report filed by the Kolkata Municipal Corporation. Looking at the photographs, it does not appear that there is any unauthorised construction.

In view of the above, 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.

Report dated 26th July, 2022 filed by the Kolkata Municipal Corporation in Court is taken on record.

Affidavit of service filed in Court today is taken on record.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)