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ORDER SHEET

WPO/818/2022

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MD. MUMTAJ
Versus
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date : 17th February, 2022.

[Via Video Conference]

Appearance:
Mr. Santanu Chatterjee, Adv.
For the petitioner.

Mr. Mihir Kundu, Adv.
Ms. Era Ghosh, Adv.
For the K.M.C.

Ms. Sipra Majumdar, Adv.
Ms. Prativa Ghatak, Adv.
For the State.

The Court :- Affidavit of service is taken on record.

The allegation of the petitioner is that the respondent nos. 8 to 10 have constructed illegally at premises No. T/37/2B/1, Mominpore Road, Kolkata 700 023 by encroaching into the footpath maintained by the Kolkata Municipal Corporation.

Mr. Kundu, learned Advocate appearing for the Kolkata Municipal Corporation, produces an inspection report dated February 15, 2022 from which it appears that a three storied building has been

constructed in accordance with the plan and no deviation has been found. As the Kolkata Municipal Corporation has come to a specific finding that as of now no unauthorized construction has been detected, no further orders need be passed.

However, the authorities must ensure that the construction is continued in accordance with the plan and the footpath maintained by the Kolkata Municipal Corporation must not be encroached.

The writ petition is, thus, disposed of.

(SHAMPA SARKAR, J)

snn.