

OD-4

ORDER SHEET

WPO/1986/2022

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MANICK PATLAK
Versus
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 11th May, 2022.

Appearance:

Mr. Sounak Bhattacharya, Adv.

Mr. Ajitesh Pandey, Adv.

For the petitioner.

Md. Zohaib Rauf, Adv.

For the respondent.

Mr. Dwijadas Chakraborty, Adv.

For the K.M.C.

The Court :- Premises No. 48A, D.C. Dey Road is a single storeyed building.

The petitioner alleges that the premises no.48A, D.C. Dey Road, Ward-57, Borough-VII of the Kolkata Municipal Corporation is in a dilapidated condition and may collapse at any point of time. Hence, apprehending loss of life, such writ petition has been filed.

The Kolkata Municipal Corporation has filed a report dated May 10, 2022 from which it appears that on the prayer of the respondent

no.6 dated November 8, 2021 permission has been granted for reconstruction of the RCC roof and the staircase. The respondent no.6 has not commenced the reconstruction work.

Learned Advocate for the respondent no.6 submits that in view of the injunction passed by a civil court in a civil suit, the reconstruction work could not take place.

Thus, the complaint of the petitioner against the inaction of the Kolkata Municipal Corporation does not survive. However, if the Kolkata Municipal Corporation finds in future the building is in a dilapidated condition and dangerous, steps shall be taken in accordance with law upon intimation to the owner and the occupiers of the building.

Accordingly, WPO No. 1986 of 2022 is disposed of.

(SHAMPA SARKAR, J)