

OD-9

ORDER SHEET

WPO No. 1206 of 2021

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

AMRIK SINGH SAINI
VERSUS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date :03rd January, 2022.

[Via Video Conference]

Appearance:
Mr. Raghunath Chakraborty, Adv.
For the petitioner.

Mr. Biswajit Mukherjee, Adv.
Mr. Anand Farmania, Adv.
For K.M.C.

Mr. Manoj Malhotra, Adv.
Mr. Sagnik Chatterjee, Adv.
For State respondents.

The Court:- Despite service none appears on behalf of the respondent no.8. A postal receipt and track report showing delivery of the postal article to the respondent no.8 has been filed in court.

As a report had already been submitted by the Assistant Engineer [C], Building Department, Borough-IX of the Kolkata Municipal Corporation with a finding of unauthorized construction, this Court is of the opinion that the Kolkata Municipal Corporation must take steps by

initiating appropriate proceedings under the law with regard to the allegations of unauthorized construction on premises No. B/3A/H/13 Bindu Basini Street, Kolkata-700027 of ward No. 78, under Kolkata Municipal Corporation, which is a thika property.

The Corporation will hold an inspection in presence of the parties. Inspection report and sketch map shall be prepared indicating the nature and extent of unauthorized construction. The same shall be supplied to the parties. Parties will be granted liberty to file their written objection/written version to the inspection report. A hearing shall be granted to the respective parties. A reasoned order shall be passed and communicated to the parties. The decision of the Corporation with regard to the allegations and the findings arrived at, shall be implemented in accordance with law.

The entire exercise shall be completed within a period of four months from the date of communication of this order. This court has not gone into the merits of the claim and counter claim of the parties.

Accordingly, the writ petition is, thus, disposed of.

[SHAMPA SARKAR, J.]