

WPO No.2216 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

HARIDAS PAL
VS
THE STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 23rd June, 2022.

Appearance:
Mr. Debashis Banerjee, Adv.
Ms. Moumita Pandit, Adv.
Mr. Suprem Naskar, Adv.
..for Petitioner.
Mr. Swapan Kumar Debnath, Adv.
Mr. Debangshu Mondal, Adv.
...for KMC.
Mrs. Sucharita Ray, Adv.
..for State Respondents.
..for State.
Mr. Debasis Nandi, Adv.
..for Respondent No.9.

The Court:-Petitioner complains of unauthorized construction by the private respondents.

A report has been placed before this Court signed by the Assistant Engineer (Civil), Building Department, Borough-I of the Kolkata Municipal Corporation.

The report dated 21.06.2022 mentions that a site inspection was conducted and it was found that an old partly three storied brick built building with partly lime terrace roof and partly asbestos shed existed at the said premises.

At the time of inspection, it was revealed that some renovation and repairing work was done in the building in recent past but no new construction was found.

It has been submitted that the nature of renovation and repairing work that has been done does not require prior sanction or permission from the Kolkata Municipal Corporation.

Learned Advocate representing the petitioner submits that there is an extension of the balcony. In response to the said submission the learned Advocate for the Kolkata Municipal Corporation submits that a balcony was there in the deed itself when the same was purchased by the petitioner. Physical inspection did not reveal construction or extension of the balcony.

It appears from the submissions made on behalf of the Kolkata Municipal Corporation and the private respondents herein that the allegations of the petitioner remain unsubstantiated.

In view of the above, no relief can be granted in favour of the petitioner in the instant writ petition.

Writ petition fails and is hereby dismissed.

Report filed by the Assistant Engineer (Civil), Building Department, Borough-I of the Kolkata Municipal Corporation dated 21st June, 2022 is retained with the records.

Leave is granted to the Advocate-on-record of the respondent No.9 to file Vakalatnama in the Department in course of the day.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(AMRITA SINHA, J.)