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ORDER SHEET

WPO No. 2284 of 2022  
IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

MOHAMMED SHAFIQUE  
VS.  
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 12<sup>th</sup> July, 2022.

Mr. Rajdeep Mantha, Mr. Hamidul Haque, Advocates for the  
Petitioner.

Mr. Barin Banerjee, Mr. Rudranil De, Advocates for K.M.C.

Ms. Shagufta Sulaiman, Respondent no.7 appears in person.

The Court :- In compliance of the order passed by this Court on 24<sup>th</sup> June, 2022 spot inspection was conducted in the premises no. 4/1/h/4, Nawab Abdul Latif Street, Kolkata – 700 016, Ward no.62, Borough-VI under the jurisdiction of the Kolkata Municipal Corporation.

During inspection, it was observed that there is an old two storied building standing thereon at site. No new construction work was going on during inspection nor any construction work was seen to be done in recent past.

Court further directed the Kolkata Municipal Corporation to take instruction with regard to existence of the premises no. 13/11/8, Elliot Lane,

Park Street, Kolkata – 700 016 which the petitioner has recorded as his address in the cause title of the writ petition as well as in the letter/representation made by the petitioner before the respondent authority alleging illegal construction being made by the private respondent.

The report dated 9<sup>th</sup> July, 2022 which has been filed today by the Sub-Assistant Engineer (Civil), Assistant Engineer (Civil) and the Executive Engineer (Civil), Building Department, Ward No. 62, Borough-VI of the Kolkata Municipal Corporation clearly mentions that after inspection existence of the premises no. 13/11/8, Elliot Lane, Park Street, Kolkata – 700 016 was not found.

Learned Advocate for the petitioner submits that the address was wrongly mentioned in the cause title of the writ petition as well as in the representation that has been filed by the petitioner. The correct address of the petitioner is 13/H/8, Elliot Lane, Park Street, Kolkata – 700 016.

As it appears from the report filed by the Kolkata Municipal Corporation that the allegations made by the petitioner remains unsubstantiated, accordingly no relief can be granted to the petitioner in the instant writ petition.

Writ petition fails and is hereby dismissed.

Report dated 9<sup>th</sup> July, 2022 filed by the Kolkata Municipal Corporation in Court today is taken on record.

Affidavit filed by the respondent no.7 appearing in person in Court today is also taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)

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