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ORDER SHEET

WPO No.2301 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MD. ANWAR HUSSAIN & ORS.
-Versus-
STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 14th July, 2022.

Appearance:
Mr. Ranajit Chatterjee, Adv.
Mr. Aniruddha Mitra, Adv.
..for Petitioners.

Mr. Alok Kumar Ghosh, Adv.
Mr. Rudranil De, Adv.
..for KMC.

Mr. Debasish Ghosh, Adv.
Mr. Ratul Das, Adv.
..for Respondent Nos. 7 & 8.

Mr. Tarique Quasimuddin, Adv.
Ms. Sanchita Chaudhuri, Adv.
..for Respondent No.9.

Mr. Gopal Chandra Das, Adv.
..for Respondent No.10.

Mr. Aniruddha Chatterjee, Adv.
Mr. Syed Nurul Arefin, Adv.
Mr. Rahul Singh, Adv.
...for Respondent No.11.

The Court:- Pursuant to the direction passed by this Court on 1st July, 2022 the men and agents of the Kolkata Municipal Corporation conducted an inspection of the first floor of the building at 83A, Elliot Road, Kolkata-700016, Ward No.61, Borough-VI under the jurisdiction of the Kolkata Municipal Corporation.

On inspection, it was found that the first floor of the building is used as a banquet hall. As per available records it was found that a sanction plan was accorded for construction of B+G+XI storied residential building. As per completion plan, first floor was shown as for office use. From the records maintained by the Kolkata Municipal Corporation, it appears that no permission has been taken from the department to use the first floor as banquet hall instead of office use.

Report dated 13th July, 2022 signed by the Sub-Assistant Engineer (Civil), Assistant Engineer (Civil) and the Executive Engineer (Civil), Building Department, Borough-VI of the Kolkata Municipal Corporation filed in Court is retained with the records.

As it appears from records that no permission has been accorded by the Kolkata Municipal Corporation to use the first floor of the building as banquet hall, accordingly, respondent nos. 9 and 10 are restrained from using the said first floor of the premises as banquet hall without obtaining any formal permission from the Kolkata Municipal Corporation.

No further order is required to be passed in the instant writ petition.

Writ petition stands disposed of.

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

(AMRITA SINHA, J.)