

WPO No.2306 of 2022  
IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

RANJANA JAIN & ORS.  
VS  
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:  
The Hon'ble JUSTICE AMRITA SINHA  
Date: 13<sup>th</sup> July, 2022.

Appearance:  
Mr. Swaraj Shaw, Adv.  
...for the Petitioners.

Mr. Gopal Chandra Das, Adv.  
Mr. Rudranil De, Adv.  
...for KMC.

The Court:-The matter relates to the premises no.55, Nalini Seth Road, Kolkata-700007, Ward No.42, Borough-V under the jurisdiction of the Kolkata Municipal Corporation. The petitioners claim to be the owner of the said property. It has been submitted that the building is fully tenanted.

According to the petitioners the building is in a dilapidated condition and it requires immediate repairs. The petitioners claim that the building in question is more than eighty years old and have developed detrimental cracks on its walls, floors, beams and pillars.

The petitioners pray for direction upon the Kolkata Municipal Corporation for a direction to permit them to repair the building in question. The petitioners have filed representation before the respondent authorities on 16<sup>th</sup> February, 2022.

After receiving the representation, the Executive Engineer (Civil), Building Department, Kolkata Municipal Corporation issued a notice dated

7<sup>th</sup> July, 2022 under Section 411(1) of the Kolkata Municipal Corporation Act, 1980 and directed the owners and occupiers of the building to immediately demolish the endangered portion/ruinous state of the building and to secure the rest portion of the existing building.

As it appears that the Executive Engineer (Civil), Building Department, Kolkata Municipal Corporation has already acted in response to the representation filed by the petitioners, accordingly, no further order is required to be passed in the present writ petition.

The owners and occupiers of the building are directed to take steps in accordance with the notice dated 7<sup>th</sup> July, 2022 issued under Section 411(1) of the Kolkata Municipal Corporation Act, 1980.

Writ petition stands disposed of.

Notice under Section 411(1) of the Kolkata Municipal Corporation Act, 1980 dated 7<sup>th</sup> July, 2022 filed in Court today is 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.)**