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ORDER SHEET

WPO No.2398 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ANGURA MULLICK (REHMAN)
VS.
THE COMMISSIONER, THE KOLKATA
MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 14th September, 2022.

Mr. Subir Banerjee, Mr. Shaunak Ghosh,
Md. Hossain, Advocates for the petitioner.

Mr. Alak Kr. Ghosh, Mr. Subhrangsu Panda,
Advocates for K.M.C.

Mr. Avijit Basu, Mr. Indrajit Sen, Mr. S. Medda,
Advocates for respondent Nos. 9 to 15.

Ms. Sreemoyee Mitra, Advocate for CESC Ltd.

The Court:- In compliance of the direction passed by this Court, the Kolkata Municipal Corporation conducted a joint inspection on 31st August, 2022 after giving prior intimation to all the effective parties.

At the time of inspection, it revealed that there are two existing old buildings, one structure with bigger footprint is in dilapidated and highly insecure condition and the other one with small footprint was found at comparatively better condition.

The Kolkata Municipal Corporation already issued notice under Section 411(1) of the Kolkata Municipal Corporation Act, 1980 and also affixed "Dangerous Building" notice board under Section 411(2) of the said Act.

Neither the owner nor the occupiers took any steps to repair the said buildings to make it safe for living.

The notice under Section 412(A) has been issued to show cause as to why the buildings should not be declared as condemned buildings. The notice under Section 412(A) was issued to avoid any untoward incident.

The report filed in Court today is signed by the Sub-Assistant Engineer (Civil), the Assistant Engineer (Civil) and the Executive Engineer (Civil)/Building, Borough-VI of the Kolkata Municipal Corporation.

As the parties have been directed to show cause under Section 412(A) of the Act, there is no requirement of interfering in the present writ petition. The parties are at liberty to show cause in reply to the notice that has been issued.

The writ petition stands disposed of.

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

(AMRITA SINHA, J.)