

OD-1 & 2

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO No. 2630 of 2022

ASHOKE KUMAR KAR & ORS.
Versus
KOLKATA MUNICIPAL CORPORATION & ORS.

WPO No.359 of 2019
IA No: GA/1/2020 (Old No: GA/485/2020)

SOVANA DEVELOPERS PRIVATE LIMITED
Versus
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date:15th December, 2022.

Appearance:

*Mr. Saurabh Guhathakurata, Adv.
Mr. Amiya Kumar Ruj, Adv.
Ms. Prabhleen Bharara, Adv.
Ms. Nilanjana Sarkar, Adv.
...for Petitioner Nos.1 to 3.
in WPO No.2630 of 2022.*

*Mr. Haradhan Banerjee, Adv.
Mr. Amitava Pyne, Adv.
Mr. Partha Pratim Mukhopadhyay, Adv.
Mr. Nilmani Das, Adv.
Mr. S. Dutta, Adv.
...for petitioner in WPO No. 359 of 2019.*

*Mr. Alak Kumar Ghosh, Adv.
Mr. Debangshu Mondal, Adv.
...for KMC in WPO No.2630 of 2022.*

*Mr. Alak Kumar Ghosh, Adv.
Mr. Barin Banerjee, Adv.
Mr. Swapan Kr. Debnath, Adv.
Mr. Debangshu Mondal, Adv.
...for KMC in WPO No.359 of 2019.*

*Mr. Shyamal Chakraborty, Adv.
...for respondent Nos.5 & 6.
in WPO No. 359 of 2019.*

*Mr. Saurabh Guhathakurata, Adv.
Mr. Amiya Kumar Ruj, Adv.
Ms. Prabhleen Bharara, Adv.
Ms. Nilanjana Sarkar, Adv.
...for Respondent Nos.7 to 10.
in WPO No.359 of 2019.*

*Mr. Haradhan Banerjee, Adv.
Mr. Amitava Pyne, Adv.
Mr. Partha Pratim Mukhopadhyay, Adv.
Mr. Nilmani Das, Adv.
Mr. S. Dutta, Adv.
...for Respondent No.5.
in WPO No.2630 of 2022.*

The Court:- Both the aforesaid writ petitions are considered together and
disposed of in the following manner.

Learned advocates representing the petitioners have filed before this Court the proposed terms of settlement arrived at between the parties in relation to the demolition and reconstruction of the Bowbazar Market at premises no.84A, 84/1A, 84/3A, Bipin Behari Ganguly Street presently numbered as 84A, Bipin Behari Ganguly Street, P.O. Bowbazar, P.S. Muchipare, Kolkata-700012. The same is made part of the records of this case.

It has been submitted that the tenants and occupiers of the said premises have arrived at a mutual settlement according to which Sovana Developers Pvt. Ltd. being the owners-cum-developer of the property in question shall submit plan proposal before the Kolkata Municipal Corporation. The manner in which the owners and occupiers will be vacated for effecting demolition, reconstruction and thereafter rehabilitated back at the said premises is mentioned therein.

Both the parties undertake to act in accordance with the said terms of settlement.

The Kolkata Municipal Corporation shall take steps to consider the plan proposal to be submitted by the owners-cum-developer in accordance with law, at the earliest so that the construction may start immediately upon sanction of the building plan.

The parties are directed to cooperate so that there is no hindrance at the time of making construction in accordance with the plan sanctioned.

Both the writ petitions and the connected application stand 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.)