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ORDER SHEET

WPO No.2720 of 2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

FARZANA KHAN
VS
THE STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 9th November, 2022.

Appearance:

Mr. Partha Pratim Roy, Adv.
Mr. Dyutiman Banerjee, Adv.
..for the petitioner.

Mr. Swapan Kumar Debnath, Adv.
Mr. Debangshu Mondal, Adv.
..for KMC.

Mr. Goutam Sardar, Adv.
Mr. Shankha Shubhra Mukherjee, Adv.
Ms. Barnali Saha, Adv.
..for Respondent Nos.11 & 12.

Mr. Manoj Malhotra, Adv.
Mr. Suman Dey, Adv.
..for the State.

The Court:- The petitioner complains that the respondent nos.11 & 12 are making unauthorized construction at 21/1 & 21A, Ibrahim Road, Ward-78, Borough-IX, Kolkata-700 023.

The specific allegation of the petitioner is that construction is being made without obtaining any sanction plan from the Kolkata Municipal Corporation.

Learned advocate representing the respondent nos.11 & 12 denies the contention of the petitioner. It has been submitted that plan has duly been

sanctioned by the Kolkata Municipal Corporation for making construction at the subject premises being BP No.2022090040 dated 8th July, 2022 and the same is valid till 7th July, 2027. It has been submitted that construction has started and the same is being made in accordance with sanctioned plan.

Learned advocate representing the Kolkata Municipal Corporation submits that only excavation work has started at the subject premises but the construction is yet to come up. It has been submitted that plan has been sanctioned in respect of the said premises.

As it appears from the submissions made on behalf of the respondents that plan has duly been sanctioned by the Kolkata Municipal Corporation for making construction, accordingly, allegation of the petitioner that the construction is being made devoid the sanctioned plan cannot be substantiated.

The Kolkata Municipal Corporation shall ensure that construction is being made in accordance with plan sanctioned.

Writ petition stands disposed of.

Copy of the plan handed over by the learned advocate representing the respondent nos.11 & 12 is made over to the learned advocate for the petitioner in Court today.

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

(AMRITA SINHA, J.)