OD-3 **ORDER SHEET**

WPO No.2890 of 2022

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

ORIGINAL SIDE

SIDDHARTH RAJ GUPTA

-VS-

KOLKATA MUNICIPAL CORPORATON & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 23rd November, 2022.

Appearance:
Md. Zohaib Rauf, Adv.
..for the Petitioner.

Mrs. Sima Chakraborty, Adv.
Ms. Manisha Nath, Adv.
..for KMC.

Mr. P. S. Deb Barman, Adv.
Mr. Amit Gupta, Adv.
Mrs. Debangana Dey, Adv.
..for Pvt. Respondent.

The Court:-The petitioner alleges illegal and unauthorized construction at the instance of the respondent no.6.

Pursuant to the complaint lodged by the petitioner, the engineer of the Kolkata Municipal Corporation inspected the site and found that internal renovation work was going on. A fibre/glass shed supported by iron structure was found to be installed over the open balcony. The said construction has been done after issuance of the completion certificate.

The person responsible was requested to produce supporting document in favour of the said construction.

Learned advocate representing the respondent no.6 submits, upon instruction that, reply has duly been filed before the concerned authority. Reply is pending consideration.

Report filed by the Assistant Engineer (Civil), Building Department, Borough-I, Kolkata Municipal Corporation is taken on record.

The Assistant Engineer (Civil), Building Department, Borough-I is directed to consider the representation of the petitioner along with reply filed by the respondent no.6 after giving a reasonable opportunity of hearing to both the parties and pass a reasoned order and communicate the same to the parties. Steps shall be taken in the matter at the earliest, but positively within a period of six weeks from the date of communication of this order.

The writ petition stands disposed of.

Leave to file affidavit of service in course of the day.

Pursuant to the leave granted affidavit of service has been filed.

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

(AMRITA SINHA, J.)

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