

ORDER SHEET

WPO No. 3259 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MANICK DAS @ MANICK CHANDRA DAS
Versus
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 19th December, 2022.

Appearance:
Mr. Raghunath Chakraborty, Adv.
Mr. Rajdeep Bhattacharya, Adv.
Mr. S. Ghosh, Adv.
..for Petitioner.

Mr. S. Nayak, Adv.
Mr. D. Ghosh, Adv.
...for KMC.

The Court:-The petitioner is aggrieved by the order dated 14th October, 2022 passed by the Executive Engineer (Civil)/ Building Department, Borough-III of the Kolkata Municipal Corporation requiring the petitioner to demolish the illegal construction at premises no.4Y, Rashmoni Bazar Road.

The petitioner is aggrieved as only five days' time was granted for demolishing the same.

The order passed by the Executive Engineer (Civil)/ Building Department, Borough-III of the Kolkata Municipal Corporation is an appealable one.

The time period within which the appeal ought to have been filed is long over. Five days' period within which the demolition ought to have been

executed, is also over. The demolition has not been done by the petitioner and neither has the Corporation taken steps to demolish the same, as yet.

It will be open for the petitioner to approach the proper forum for remedy, if so advised.

The Court is not inclined to exercise jurisdiction in this matter.

The writ petition fails and is, accordingly, dismissed.

Affidavit of service filed in Court today is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(AMRITA SINHA, J.)

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