

ORDER SHEET

WPO/3276/2022

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

RAJU KHATICK
-VS-
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date : December 16, 2022.

Appearance:

Mr. Anindya Bose, Adv.
Mr. Amit Gupta, Adv.
Mr. D. Mondal, Adv.
Mr. Nikhil Kr. Gupta, Adv.
Mr. M. Biswas, Adv.
...for the petitioner

Mr. Gopal Ch. Das, Adv.
Mr. D. Chakraborty, Adv.
...for the KMC

The Court: The matter relates to the premises No.B/22/H/4, Nandalal Bose Lane, Ward No.7, Borough-I under the jurisdiction of the Kolkata Municipal Corporation. Notice under Section 401 of the KMC Act was issued on 17th August, 2022 directing the person responsible to forthwith stop all construction work including addition and alteration.

The petitioner alleges that since thereafter the Corporation has not proceeded to complete the proceeding.

Learned counsel representing the Kolkata Municipal Corporation submits, upon instruction, from the Executive Engineer (Civil), Building Department, Borough-I that departmental inspection revealed construction of single storied RCC framed structure without any sanction. Notice under Section 401 was served with intimation to the police station.

As it appears that the Corporation has detected unauthorized construction, accordingly, the instant writ petition is disposed of by directing the Executive Engineer of Borough-I to take steps in accordance with law to deal with the unauthorized construction.

The aforesaid respondent shall ensure that the proceeding be completed at the earliest but positively within a period of twelve (12) weeks from the date of communication of this order.

The writ petition accordingly stands disposed of.

Instruction given by the Executive Engineer signed on 14th December, 2022 and the affidavit of service filed in Court today are taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)