

ML 110  
15.02.2023  
d.p.

**In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side**

**W.P.A 1751 of 2022**

**Hamida Arif  
-versus  
The Kolkata Municipal Corporation & Ors.**

**Mr. Rajdeep Bhattacharya.  
...For the Petitioners.**

**Mr. Subhrangsu Panda,  
Ms. Ina Bhattacharyya.  
...For KMC.**

The petitioner complains of illegal and unauthorized construction at 30/H/5, Dr. Suresh Sarkar Road, Ward No.-54, Borough-VI of the Kolkata Municipal Corporation.

The petitioner alleges that the objection filed against such unauthorized construction has not been disposed of till date.

Learned advocate appearing for the Kolkata Municipal Corporation produces a report signed by the engineers of the Kolkata Municipal Corporation on 9<sup>th</sup> February, 2023 mentioning that the premises was inspected by the department and it was found that there is a single storied partly C.I. shed and partly R.T.S. old structure standing thereon.

It was observed that in a portion of the structure, the C.I. shed has been raised approximately by 0.30

meter and probably the old shed has been replaced by a new C.I. shed.

From the report forwarded by the engineers of the Corporation, it does not appear that there is any unauthorized construction as alleged by the petitioner.

The allegation of the petitioner not being substantiated, no relief can be granted to the petitioner in the instant case.

The writ petition, accordingly, fails and is hereby dismissed.

The instruction of the engineers of the Corporation is taken on record.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**( Amrita Sinha, J.)**