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Ct No
24
AGM

13.03
2023

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

WPA 1883 of 2022

**Dr. Bidhan Chandra Bhunia
Vs
The Kolkata Municipal Corporation & Ors**

Mrs. Nandini Mitra,
Mr. Sakya Maity,

... For the Petitioner.

Mr. Alak Kumar Ghosh,
Mr. Subhrangsu Panda,

... For the KMC.

Learned advocate representing the petitioner submits that the Corporation has issued notice with a direction upon the landlord and the developer to make necessary repairs in the roof and the walls of the subject premises.

Learned advocate for the Corporation submits that that the developer has been directed to carry out the necessary repairs.

The petitioner alleges that despite direction being passed by the Corporation, the landlord/developer is not taking any steps in accordance with the direction passed by the Corporation.

Prayer has been made for impleading the landlord/developer as party respondent in the present writ petition and pass necessary orders for compliance of the directions passed by the Corporation.

The Court is of the opinion that the present issue

will give rise to a fresh cause of action, which cannot be adjudicated in the pending writ petition.

In view of the above, the instant writ petition stands disposed of.

Liberty granted to the petitioner to file fresh writ petition alleging fresh cause of action.

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

(Amrita Sinha, J.)