

Item No. 40

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

17.04.2023
Ct-24

WPA 5702 of 2023
Shadab Khan

v.

The State of West Bengal & Ors.

Mr. Ivan Roy
... for the petitioner.

Mr. Himadri Sikhar Chakraborty
Ms. Susnita Saha
... for the State.

Mr. Fazlul Haque
Ms. Era Ghosh
... for KMC.

The petitioner complains of illegal and unauthorized construction at the behest of the private respondents at premises no. T/2V, Tiljala Lane, Police Station-Karaya, Kolkata-700019, KMC ward No. 065, Borough-VII under the jurisdiction of the Kolkata Municipal Corporation. The allegation is that construction is being made without any sanctioned plan with very poor quality building materials.

None appears on behalf of the private respondents.

Affidavit-of-service filed in Court today be taken on record.

Learned advocate for the Corporation is yet to receive instruction in the matter.

On a perusal of the objection filed by the petitioner before the respondent authorities it appears that the

same is absolutely sketchy, devoid of the relevant details.

In view of the above, the instant writ petition is disposed of by granting leave to the petitioner to file a comprehensive representation giving details of the unauthorized construction made. In the event, such a representation is made, the same shall be taken up for consideration by the Executive Engineer (C)/Building, Borough-VII strictly in accordance with law after giving reasonable opportunity of hearing to all the necessary parties.

A reasoned order shall be passed and communicated to the parties immediately thereafter.

The writ petition stands disposed of.

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

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(Amrita Sinha, J.)