

26-06-2023
ct no. 24
Sl. 24
Sayandeep

WPA 6185 of 2023

Maqsood Alam

-Versus-

The Municipal Commissioner, KMC & Ors.

Ms. Rupsha Chakraborty

.....for the State

Mr. Achintya Kr. Banerjee

Mr. Gopal Chandra Das

...for the KMC

Mr. Syed Nasim Aejaaz

Mr. Syed Md. Ali

.....for the Pvt. respondents

The petitioner alleges illegal and unauthorized construction at the behest of the private respondents at premises no. 14/4/D, Patwar Bagan Lane, Ward No. 037, Borough-V, under jurisdiction of Kolkata Municipal Corporation.

Learned advocate representing the private respondents submits, upon instruction that, the police has already filed charge-sheet against the persons responsible for making construction. The private respondents are in no manner related to the alleged unauthorized construction.

Learned advocate representing the KMC refers to the action taken report dated 23rd November, 2022 signed by the engineers of the KMC annexed at page-70 of the writ petition which mentions that on detection of unauthorized construction, necessary steps have been initiated under Section 400 of the KMC Act, 1980.

None appears on behalf of the petitioner at the time of call. No accommodation sought for.

From the documents annexed to the writ petition and upon hearing the parties, it appears that the Corporation is aware of the unauthorized construction and steps have been initiated to deal with the same.

The concerned authority of the Corporation is directed to conclude the proceeding to deal with the unauthorized construction, if not concluded earlier, in accordance with law after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively within a period of twelve weeks from the date of communication of this order.

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.

(Amrita Sinha, J.)