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31.07.2023
d.p.

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

W.P.A 7828 of 2023

**Marjina Bibi
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Maidul Islam Kayal,
Mr. Sumit Naskar.
...For the Petitioner.**

**Mr. Atis Kumar Biswas,
Ms. Poushali Banerjee.
...For KMC.**

**Ms. Rupsha Chakraborty.
...For the State.**

Affidavit-of-service is already on record.

None appears on behalf of the private respondents in spite of service.

A joint inspection was conducted to ascertain the nature and extent of unauthorized construction in the presence of the Assessment Department GR- Unit, Kolkata Municipal Corporation, personnel from Nadial Police Station and the petitioner on 21st July, 2023.

During inspection, the petitioner pointed out the construction in question and it was revealed that the construction was an old and occupied two storied building which was made without any sanctioned plan.

Demolition sketch and infringement statement of the construction has been prepared for processing the same under Section 400 of the Kolkata Municipal Corporation Act, 1980.

The report of the Assistant Engineer (Civil)/Building/Borough-XV dated 25th July, 2023 is retained with the records.

As it appears from the departmental report that unauthorized construction has been detected, accordingly, the Corporation is directed to take necessary steps to deal with such unauthorized construction in accordance with law after giving reasonable opportunity of hearing to all the parties.

The Corporation shall endeavour to conclude the proceeding at the earliest, but positively within a period of twelve weeks from the date of communication of a copy 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.)