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Ct No 2023
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AGM

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

WPA 8598 of 2023

**Ramendra Kumar Roy
Vs
The Kolkata Municipal Corporation & Ors.**

Mr. Tanmoy Mukherjee
Mr. Sounak Bhattacharya
Mr. Amal Kumar Saha
Mr. Iresh Paul
Mr. Rudranil Das

... For the petitioner.

Mr. Atish Kumar Biswas
Mr. Sourav Chaudhuri

... For the KMC.

Mr. Monojit Pal

... for the respondent nos. 5, 7 and 8.

The matter relates to the construction at premises no. 115, Netaji Subhas Road, Kolkata- 700 001, Ward No. 42, Borough-V under the jurisdiction of Kolkata Municipal Corporation.

Admittedly, the petitioner has raised a portion of the construction in deviation of the plan sanctioned by the Kolkata Municipal Corporation.

The petitioner undertakes to demolish the construction which has been made by him in an unauthorised manner.

The Executive Engineer of the concerned Borough is directed to cause a spot inspection upon prior notice to all the necessary parties and prepare a D-sketch and forward the same to the petitioner so that steps can be taken to

demolish the unauthorised construction by the petitioner.

Let the spot inspection be conducted at the earliest but positively by 12th May, 2023. The D-sketch shall be forwarded to the petitioner immediately thereafter but positively by 17th May, 2023.

The petitioner shall take steps for demolition of the unauthorised construction by four weeks thereafter.

After effecting the necessary demolition, the petitioner shall intimate the same to the Corporation.

The Executive Engineer of the Corporation shall re-inspect the premises to ascertain as to whether the demolition has been made in accordance with the D-sketch.

The Executive Engineer of the Corporation shall thereafter take a decision whether to permit the petitioner to continue with the construction work or not. The said decision shall be communicated to the petitioner.

The writ petition stands disposed of.

The report filed by the engineers of the Corporation signed on 17th April, 2023 be retained with the records.

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

(Amrita Sinha, J.)