

**01.05.2023**

Item No.4

Ct. No.1

PG/KS

**W.P.A.(P) 172 of 2023**

**Nazia Elahi Khan**

**Vs.**

**State of West Bengal & Ors.**

Mr. Ranojoy Chatterjee

.....for the Petitioner

Mr. Jaharlal De

Ms. Debarati Sen (Bose)

.....for the State

1. By this writ petition styled as a public interest litigation, the petitioner seeks for a very sweeping and wide direction to take action against illegal and unauthorized construction in the entire area falling within the jurisdiction of the Kolkata Municipal Corporation.
2. In the affidavit filed in support of the writ petition, certain details have been given with regard to certain premises, where unauthorized construction has been going on.
3. The Kolkata Municipal Corporation within whose jurisdiction the alleged illegal construction is going on should examine the matter and it is not required that somebody should bring to their notice about any illegality occurring within their jurisdiction.

4. Therefore, without going into the correctness of the allegations made, we would direct the authority to consider the petitioner's representation and conduct an enquiry into the matter and wherever action is required to be taken, if it is found that there are illegal and unauthorized construction, necessary action be taken in accordance with law.
5. The writ petitioner shall submit a copy of the writ petition along with the copy of this order to the appropriate authority of the Kolkata Municipal Corporation for compliance of the direction.
6. With the above direction/observation, the writ petition stands disposed of.
7. There shall be no order as to costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

**(T. S. SIVAGNANAM)**  
**ACTING CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**