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Ct 2023
No24
AGM

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

**WPA 10454 of 2021
CAN 1 of 2022**

**Shri Gobinda Kundu
Vs
The Kolkata Municipal Corporation & Ors.**

**Mr. Pratik Kumar Bhattacharya
Mr. Anubrata Santra
... For the petitioner.**

**Mr. Ranajit Chatterjee
Mr. Subhrangsu Panda
... For the KMC.**

**Mr. Santanu Kumar Mitra
Mr. Ganga Prasad Mukherjee
... For the State.**

**Mr. Nilendra Bhattacharya
Mr. Soumen Chatterjee
Mr. Snehasish Jana
... For the respondent nos. 7 and 8.**

A report has been filed by the engineers of the Kolkata Municipal Corporation signed on 02.05.2023 wherefrom it appears that a joint site inspection was conducted on 29th April, 2023 in the presence of all the parties.

Departmental inspection revealed that reconstruction of the ground floor and the first floor has been executed but construction of the puja room and the prayer room in the second floor has not yet started.

It has been found that construction has been made in deviation of the building sanction plan.

Notice under Section 401 of the Kolkata Municipal

Corporation Act, 1980 has been served upon the person responsible with intimation to the police. Demolition sketch plan is under process and proceeding under Section 400 of the Kolkata Municipal Corporation Act, 1980 is contemplated.

Let a copy of the report be circulated amongst the learned advocate representing all the parties.

As it appears that the Corporation has detected unauthorised construction, accordingly, step shall be taken in accordance with law to deal with such unauthorised construction at the earliest.

The writ petition stands disposed of.

In view of the disposal of the writ petition nothing remains to be decided in the application filed by the private respondents. The same stands disposed of.

The application being CAN 1 of 2022 is also 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.)