

244
25.09.2023
A.G.M.

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

W.P.A 9807 of 2023

**Joy Mukherjee
-versus
The Kolkata Municipal Corporation & Ors.**

**Ms. Arunima Lala Sengupta,
Mr. Prashant Kumar Singh.
...For the Petitioner.**

**Mr. S.T. Mina,
Mr. Pratim Sardar.
...For the Respondent
Nos. 7, 10 and 11.**

**Mr. Rudranil De.
...For KMC.**

**Mr. Sudip Deb
Mr. Riju Ghosh
Ms. R. Goyal
... for the respondent no. 5.**

The structure standing at premises no. 108A and 108B, Hazra Road, Ward No. 84, Borough –VIII of the Corporation is in a ruinous state. The Corporation has issued notice under Section 411 (1) of the KMC Act, 1980 dated 8th September, 2023 to the owners and occupiers to demolish the dangerous portion of the building.

Learned advocate for the respondent no. 5 being the present owner of the subject premises admits that the building is in a very dilapidated state. It has been submitted that the owner requires some time to

demolish the same and to reconstruct the same in accordance with the municipal laws.

It will be open for the Corporation to take necessary steps in the matter in the event the owners/occupiers of the subject premises fail to take steps in accordance with the notice under Section 411 (1) of the KMC Act, 1980.

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.)