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04.05.2023
d.p.

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

W.P.A 11016 of 2023

**Amar Khati
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Suddhasatya Banerjee,
Mr. Shayak Chakraborty,
Mr. Abdul Zahid.
...For the Petitioner.**

**Mr. Dilip Chatterjee,
Mr. Nilanjan Chatterjee.
...For KMC.**

Affidavit-of-service filed in Court today is taken on record.

Portion of premises no. 33B, Ahiripukur Road, Ward No. 69, Borough-VIII of the Kolkata Municipal Corporation is suffering an order of demolition.

An order was passed by the Executive Engineer (Civil)/Building, Borough-VIII mentioning that the person responsible should demolish the unauthorized construction that is the entire 3rd floor and the portion of the 2nd floor covering open terrace.

The petitioner does not raise any objection with regard to the demolition of the structure.

The petitioner apprehends that the men and agents of the Corporation may take steps to demolish the portions which have not been held to be unauthorized.

Learned advocate appearing for the Corporation is not ready with proper instructions.

The petitioner contends that the demolition programme is on and the men and agents of the Corporation are insisting to open the padlock in respect of the construction which is not mentioned in the order of demolition.

The men and agents of the Corporation are directed to conduct demolition of the portions clearly mentioned in the order of demolition dated 9th March, 2022.

The portions which are not indicated in the order of demolition ought not to be disturbed in any manner.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)